
Safeguarding Overview and Scrutiny Committee

Thursday 27 July 2023

10:00

Oak Room, County Buildings, Stafford

The meeting will be webcast live and archived for 12 months. It can be viewed at the following link: <https://staffordshire.public-i.tv/core/portal/home>

John Tradewell
Deputy Chief Executive and Director for Corporate Services
19 July 2023

Agenda

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes of the Safeguarding Overview & Scrutiny Committee meeting held on 15 June 2023** (Pages 1 - 8)
4. **Customer Feedback and Complaints Service Adult Social Care Annual Report 2022/23** (Pages 9 - 36)
Report of the Cabinet Member for Health and Care
5. **Customer Feedback and Complaints Service Children's Social Care Annual Report 2022/23** (Pages 37 - 76)
Report of the Cabinet Member for Children and Young People
6. **PSHE Coordinator impact**
Presentation by Phil Pusey, Chief Executive of Staffordshire Council for Voluntary Youth Services (SCVYS)
7. **Work Programme** (Pages 77 - 84)

8. 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)

nil

Membership	
Gill Burnett-Faulkner (Vice-Chair (Overview))	Kath Perry, MBE
Janet Eagland	Paul Snape (Vice-Chair (Scrutiny))
Ann Edgeller	Bob Spencer (Chair)
Johnny McMahon	Mike Wilcox
Gillian Pardesi	Conor Wileman

Notes for Members of the Press and Public

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**Minutes of the Safeguarding Overview and Scrutiny Committee Meeting
held on 15 June 2023**

Present: Bob Spencer (Chair)

Attendance	
Ann Edgeller	Paul Snape (Vice-Chair (Scrutiny))
Johnny McMahon	Mike Wilcox
Gillian Pardesi	Conor Wileman
Kath Perry, MBE	

Also in attendance: Paul Northcott, Mark Sutton and Victoria Wilson

Apologies: Gill Burnett-Faulkner and Janet Eagland

Part One

1. Declarations of Interest

There were none at this meeting.

2. Minutes of the Safeguarding Overview & Scrutiny Committee meeting held on 20 April 2023

Resolved: That the minutes of the Safeguarding Overview and Scrutiny Committee meeting held on 20 April 2023 be confirmed and signed by the Chairman.

3. Focus for the Future

[Note by Clerk: Due to time restrictions it was necessary to defer hearing from the Cabinet Member for Communities and Culture and the County Commissioner for Regulatory Services and Community Safety. This will be rescheduled.]

The Overview and Scrutiny Committee received presentations from the Director of Children and Families and the Adult Safeguarding Lead, and heard from the Cabinet Member for Children and Young People. Mid-point in this four-year administration, this was an opportunity for Members to take a forward look at key areas of work within their remit to help inform work programme planning.

The Director of Children and Families and the Cabinet Member for Children and Young People highlighted the following:

- a) national changes following the Care Review and the Government's response to that entitled "Stable Homes Built on Love", with its six

pillars around: family help; decisive multi agency child protection systems; Family Network potentials; relationships and stability at the heart of being a child in care; highly skilled work force; and continuous learning and improvement making better use of evidence and data.

- b) Staffordshire had been chosen as one of six Authorities to take part in a pilot project around the third pillar, unlocking the potential in Family Networks. Staffordshire would be in the second year of this two-year pilot, with funding to develop formal packages of support to enable extended family and friend networks in looking after children that may otherwise be placed in care;
- c) recruitment and retention of social workers, both work around a memorandum of understanding across the West Midlands, and consideration of possible national requirements, such as a period of time working with a local authority post qualification before being able to move to agency working;
- d) Family Hubs and Early Help, developing the workforce in this new approach and with the Early Help pathways as well as considering how this district model developed effective partnership working;
- e) Children in Care Programme, with key projects around: improving the reunification support offer; edge of care services review; improve practice in Independent Review Officer (IRO) services; and cohort analysis to highlight potential areas for improvement;
- f) Placement Sufficiency Strategy, securing the right homes for children in Staffordshire's care and looking to: increase the number of children living locally, where this was safe; eliminate the use of unregulated placements; reduce placement breakdowns; increase the quality of care experienced by Staffordshire children within homes and through the broad range of partners who support them. This was particularly influenced by the increased complexity of children's needs post covid as well as these complex needs being evident at a much younger age;
- g) MASH review and the adoption of a Staffordshire Children's Front Door;
- h) continuing to embed the cultural changes that were part of the Children's Transformation;
- i) the impact of the investment by Cabinet in Children's Services, considering the specific purposes for the investment and the difference made;
- j) the Supporting Families Programme.

Some concerns were shared around a suggestion that the Police were retreating from some social care type calls they may receive and Members asked what impact this would have and whether this would have an adverse effect on partnership working. This was in connection with a pilot in Humberside "Right Care Right Person" which was a model

designed to ensure that when there was a concern for an individual's welfare linked to their mental health, the right person with the right skills, training and experience would respond. This would help avoid any detrimental effects on vulnerable individuals who may feel criminalised by a Police response to a health and/or social care issue.

Members noted that the significant rise in the number of unaccompanied asylum-seeking children within the County had resulted in considerable increases in the number of children in care in Staffordshire. They were also made aware that, whilst the County received funding if an unaccompanied asylum-seeking child was placed directly with the Local Authority (LA), less funding was available where an individual had been placed in accommodation within the County as an adult, but was later found to be under 18 years and taken into care.

The Adult Safeguarding Lead highlighted the following:

- a) Adult Social Care assurance and the introduction of inspections of LA adult social services, particularly safeguarding, by the Care Quality Commission (CQC), with the potential for inspections from October 2023. Consideration of how Staffordshire would respond to an inspection;
- b) separation of the MASH from Stoke-on-Trent, co-locating with the children's MASH, and its development in ensuring the right partnership involvement;
- c) adult safeguarding, looking at early safeguarding responses reducing the need for Section 42 referrals;
- d) Deprivation of Liberty Safeguards (DoLS), the work to reduce the backlog and the impact of the move to Care Director which should support a rationalisation of the administrative process;
- e) the introduction of on-line safeguarding referral forms for partners and providers;
- f) results of the new adult experience feedback, hearing from front line service users about their experience of adult services to help inform service development;
- g) multi-agency safeguarding training, in which Members have asked to be included;
- h) quality assurance framework based around making safeguarding personal, including what was expected of partners;
- i) the development of adult vulnerability hubs.

The Chairman thanked Officers and the Cabinet Member for sharing their future focus and welcomed the detailed debate that would help inform work programme planning. A new date would be scheduled for hearing from the Cabinet Member for Communities and Culture and the County Commissioner for Regulatory Services and Community Safety, after which Members would look at prioritising the items for their work

programme, including consideration of methods for scrutiny.

Resolved: That:

- a) a date be scheduled for the Committee to hear the future focus presentation from the Cabinet Member for Communities and Culture and the County Commissioner for Regulatory Services and Community Safety;
- b) following this the Committee reflect on all the detail shared to support their work programme planning.

4. 'Living my Best Life': Report on the Joint Strategy for Disabled and Neurodivergent people in Staffordshire 2023-2028

The Committee heard that there were approximately 21,000 adults with a learning disability living in Staffordshire, of whom 3,400 had a moderate or severe disability, and 7,000 adults with Autism Spectrum Disorder. 26,000 Staffordshire residents aged 18-65 had a disability that made personal care difficult; 35,000 aged over 65 were unable to manage at least one mobility activity on their own. 6,200 adults had registrable eye conditions or were severely visually impaired; 18,200 experienced severe hearing loss.

The committee were informed that currently, national prevalence data for children and young people was limited, with no national repository of quality reviewed data for individuals under 18.

The majority of people with disabilities and neurodivergences managed with help and support from their family, friends and communities, and assistance from technologies. The importance of accessibility for universal services was stressed, including: education and lifelong learning; shops, leisure and cultural activities within the community; health and wellbeing services; work and money; social life and connections. Appropriate housing options were also important to enable independent living.

A small number of people with disabilities and neurodivergences were eligible for dedicated care and support from the County Council and/or the NHS and needed a reasonable choice of good quality, sustainable services. Staffordshire County Council and the Staffordshire and Stoke-on-Trent Integrated Care Board (ICB) had agreed to jointly develop a new 'Living my Best Life': Joint Strategy for Disabled and Neurodivergent people in Staffordshire 2023-2028, replacing the current Whole Life Disability Strategy 2018-2023. The new Strategy aspired to support all disabled and neurodivergent individuals to live the best lives possible. A new Staffordshire Disability Partnership Board had been created to co-ordinate development and oversee implementation of the

Strategy, reporting to the Health and Wellbeing Board. The Strategy complemented the Staffordshire Special Educational Needs and Disabilities Strategy and the SEND Strategy for Special Provision.

Members considered detail of the Strategy development and the learning so far. An associated action plan was being co-produced, with this expected to be in place by the end of December 2023. Delivery of the action plan would be overseen by the new Disability Partnership Board and ultimately, the Health and Wellbeing Board.

Throughout the engagement process the importance of giving individuals the time and space to speak for themselves was emphasised. The Strategy endeavoured to ensure individuals were given the opportunity and ability to help themselves rather than services being “done to” them, keeping the individual at the heart of services and focusing on removing barriers and looking at what the individual could achieve rather than what they couldn’t.

The Committee queried how the aspirations of the Strategy and its vision would be achieved, specifically asking how opportunities for learning and development, and for increased help when needed, would be realised. Working towards improving access to opportunities, including further and higher education, helped address these issues, and would also support employability. A lack of understanding remained a barrier towards employability, including in some instances within job centres. However examples of excellent practice could be seen, such as within the Police, but there was further work to be done.

Whilst Members endorsed the Strategy, they remained concerned at its breadth, asking how success would be measured. Detail would be included in the Action Plan, highlighting success measures. Members supported the ideology of putting the individual at the heart of the strategy, however they felt there was a need for significant cultural change, citing as an example work within the NHS, where patients were routinely asked what was the matter with them, rather than what mattered to them.

Concern was shared over a reference within the Strategy that improvements would be made where funding allowed. Members were informed that as a general point if one strategy included this comment then all strategies should, as working within the budgetary confines was a requirement for all. Members were also reminded that a tension existed between producing a strategy that explained in detail its’ delivery and one that was accessible and readable.

Resolved: the “Living Your Best Life”: Joint Strategy for Disabled and Neurodivergent people in Staffordshire 2023-2028 be supported.

5. Work Programme Planning

This item was deferred. Work programme planning will be considered after Members have heard from the Cabinet Member for Communities and Culture and the County Commissioner for Regulatory Services and Community Safety.

Resolved: That the item be deferred.

Chair

Focus for the Future

Due to time restrictions, it had been necessary to defer hearing from the Cabinet Member for Communities and Culture and the County Commissioner for Regulatory Services and Community Safety on their focus for the future. At that meeting Members agreed that this should be rescheduled.

An informal session was held on Monday 10 July where Members received a presentation from the Cabinet Member for Communities and Culture and the County Commissioner for Regulatory Services and Community Safety on a forward look at key areas of work within their remit to help inform the Committee's work programme planning.

The following areas were highlighted:

- the County wide refreshed Community Safety Agreement produced by the Safer and Stronger Communities Strategy Group;
- the Domestic Abuse recommissioned contract;
- Domestic Abuse safe accommodation grant and the new duty to support victims of domestic abuse in safe accommodation settings;
- Prevent, and the County's statutory responsibility within that, reporting to the Contest Board. Within this is the recent introduction of a regional advisor by the Home Office to have oversight of the local Prevent work and provide feedback of local partnership activity to the Home Office. The recently published independent review of Prevent and recommendations included in this review were also mentioned, understanding whether there were any implications for Staffordshire;
- Channel counter terrorism local work, meeting monthly with multiagency partners pertinent to vulnerable individual's being discussed, with an increase in governance and scrutiny of this Board over the last 18 months;
- the new Protect Duty, also known as Martin's Law, which looks to reduce the risk to the public from terrorism at venues and ensure appropriate mitigation is in place;
- Modern slavery, working in partnership with the Police where incidents are identified and the duty to notify as a first responder;
- The Serious Violence Duty, discharged through the Staffordshire and Stoke Violence Reduction Alliance, with oversight at SSCSG;
- Offensive Weapons Homicide reviews;
- The work of Trading Standards in enforcing more than 250 pieces of legislation and their work to ensure a safe and sustainable marketplace;

- Income generated by Trading Standards and the impact of their work being responsible for 35% of the County Council's positive media coverage;
- Vaping non-compliance and unsafe products which are aimed at children and young people.

The areas highlighted will be considered alongside other areas raised for possible inclusion on the Committee's work programme.

Safeguarding Overview and Scrutiny Committee - Thursday 27 July 2023

Customer Feedback and Complaints Service Adult Social Care Annual Report 2022/23

Recommendation

I recommend that the Committee:

- a. That the Committee consider the Annual Report of the Customer Feedback and Complaints Service, Adults Social Care 2022/23, taking the opportunity for any comments on the content of the report.

Local Member Interest:

N/A

Report of Cabinet Member for Health, Care and Wellbeing

Summary

What is the Overview and Scrutiny Committee being asked to do and why?

1. That the Committee consider the Annual Report of the Customer Feedback and Complaints Service, Adult Social Services 2022/23 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 2022 and March 2023 in respect of statutory complaints relating to Adult Social Care.
3. The Annual Report, Customer Feedback and Complaints Services, Adults Social Services 2022/2023 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 Actions 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 – Complaints and Feedback Adult Social Care Statutory Annual Report 2022-23

Contact Details

Assistant Director: Tracy Thorley, Assistant Director for Corporate Operations

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Complaints and Feedback Adult Social Care Statutory Annual Report 2022-23

Author Natalie Smith, Complaints Officer

Date Monday, 19 June 2023

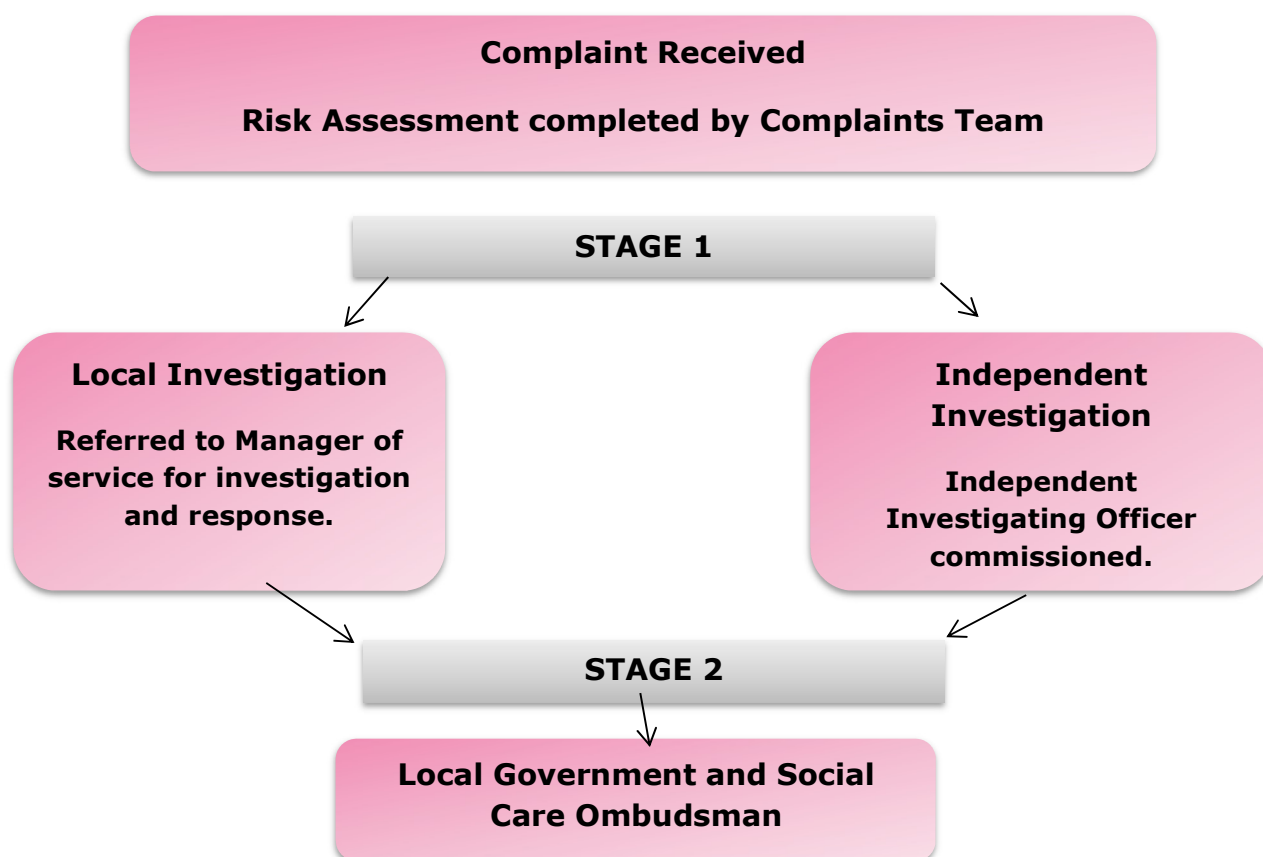
Introduction

This report provides information about complaints made during the twelve months between the 1 April 2022 and the 31 March 2023 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 University NHS Foundation 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 University 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.

Key Numbers



177

**Statutory Stage 1
Complaints**



31

**Local Government
and Social Care
Complaints**



2

**Statutory
Independent
Investigations**



159

**Enquiries were
handled
informally**

TOP 3 areas of complaint

Delay in receiving service
Financial Assessment – assessed
charge
Invoice Issues

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

Ombudsman

investigation is **£2,870**
in recognition for the time and
trouble in raising the complaint
and any distress caused

Comparison with Preceding Year

In comparison with the previous years, we have seen a **22%** increase in Stage 1 complaints recorded for this financial year. This is due to a rise in complaints regarding financial assessments. **71** complaints have been received this year in comparison to **38** in the previous year. It is to be noted that not all complaints regarding the financial assessment are solely about this issue. It can often form part of a wider issue concerning the care received and information provided regarding charging for services prior to the care being arranged.

SCC Adult Social Care Services				
	2019/20	2020/21	2021/22	2022/23
Local Investigation	187	145	145	177
Independent Investigation	0	1	2	2
Local Government Ombudsman	35	23	25	31

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.

177 complaints were recorded under Stage 1 – Local Investigation during 2022-23.

Service	District (if applicable)	No. received previous year (21/22)	No. rec'd (22/23)	
Adult Learning Disability Team				
	South Staffordshire	16	7	↓
	North Staffordshire	4	5	↑
	Preparing for Adulthood Team	8	11	↑
	TOTAL	28	23	↓
Adult Social Care First Contact		9	6	↓

Care Commissioning in Adult Social Care;			
- Brokerage Service		20	22
- All Age Disability & Mental Health		0	0
- Older People & Physical Disabilities		3	4
- Care Provider – Home Care agency		4	6
- Care Provider – Residential / Nursing		2	3
- Supported Living		0	1
- Provider Incident and Management Support		1	0
<u>TOTAL</u>		30	36 
Contact Centre – Staffordshire Cares		3	2 
Financial Services;			
- Debt Recovery		7	7
- Direct Payments Team		2	3
- Non-Residential		14	16
- Residential		8	11
- Welfare Benefits & Fairer Charging		38	71
<u>TOTAL</u>		69	108 
Adult Safeguarding		2	2
Fixed Equipment Team (Dolphin lifts)		2	0 
Total		145	177 

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.

61% of the Stage 1 Complaints received were in respect of Financial Services. This was mainly concerning the outcome of a financial assessment and the length of time taken to conclude. This figure has **risen by 36%** in comparison to the previous year and continues to be an area of concern for the client and / or their representation. The Financial Assessment Team have recruited more staff to assist with the volume of assessments / re-assessments

Last financial year, the Brokerage Service investigated **20** Stage 1 Complaints. This financial year has seen the figure remain consistent with a slight increase to **22** Stage 1 Complaints. The theme for nature of complaint continued to be in relation to the length of time taken to source a complaint.

The Brokerage Service shared a total of **33 compliments** for recording this year which staff received from families and colleagues for the work they do.

It is important to note the following when considering the numbers of complaints received;

The **Brokerage Service** arranged **10,024** new packages and placements during 2022/23;

The **Finance Team** completed **3,680** new financial assessment and **1,335** reviews during 2022/23;

The **First Contact Team** undertook **7719** assessments during 2022/23; **4742** of these were completed at First Contact with the remainder started at First Contact then passed to district teams for assessment.

The **Adult Learning Disability Team** carried out **256** new assessments and **1,556** reviews.

Stage 1 – Local Investigation Adults Social Care (Council) – Overview of Themes and Outcomes

The table below provides an overview of the theme of complaints received during 2022-23 for each service.

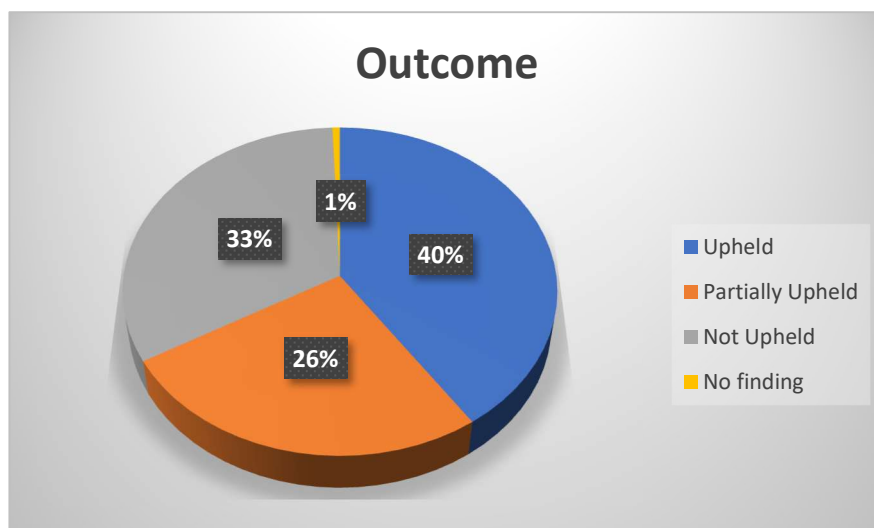
Theme \ Service	Preparing For Adulthood	Adult Learning Disability North	Adult Learning Disability South	First Contact Team	Brokerage	Care Commissioning	Staffordshire Cares	Adults & Children's Financial Service	Adult Safeguarding Team	Total
Poor Communication	2	2	1	-	1	-	1	10	-	17
Eligibility for	-	-	-	-	-	-	1	-	-	1
Social Care Assessment – outcome	1	-	1	-	-	-	-	-	-	2
Social Care Assessment - quality	-	-	1	-	-	-	-	-	-	1
Charges not discussed	2	-	1	2	1	-	-	-	-	6
Standard of service	2	-	1	-	3	1	-	10	-	17
Staff attitude / professionalism	1	1	-	-	-	-	-	2	-	4
Delay in receiving	-	-	-	-	6	-	-	21	-	27
Case management	2	1	-	3	4	3	-	2	-	15
Reduction in services	-	-	2	-	-	-	-	-	-	2
Management decision	-	1	-	-	-	1	-	-	-	2
Carer Assessment	-	-	-	1	-	-	-	-	-	1
Brokering issues	-	-	-	-	6	-	-	-	-	6
Change in care provider	-	-	-	-	1	1	-	-	-	2
Care Provider – Management decision	-	-	-	-	-	2	-	-	-	2
Care Provider – Quality of care / Invoice query	-	-	-	-	-	6	-	-	-	6
Invoice issues	-	-	-	-	-	-	-	21	-	21
Direct Payments – Audit outcome	-	-	-	-	-	-	-	1	-	1
Financial Assessment – outcome	-	-	-	-	-	-	-	22	-	22
Financial Assessment – general	-	-	-	-	-	-	-	19	-	19
Safeguarding – investigation / Process	-	-	-	-	-	-	-	-	2	2
TOTAL	11	5	7	6	22	14	2	108	2	177

'Delay in receiving' is the theme with the most complaints received. A total of **27** complaints were received with **6** for the **Brokerage Service** and **21** for **Adults and Children's Financial Services**. This was due to the length of time taken to source a provider and the length of time taken to undertake a financial assessment and sending an invoice for the care received.

22 complaints received were regarding the **assessed weekly financial contribution** following the outcome of a financial assessment. As part of the response the investigating officer reviews the assessment to ensure the figures used are correct and ensure the service user has no further information to share. A Disability Related Expenditure (DRE) Appeal is also offered if one has not already taken place prior to the complaint being made.

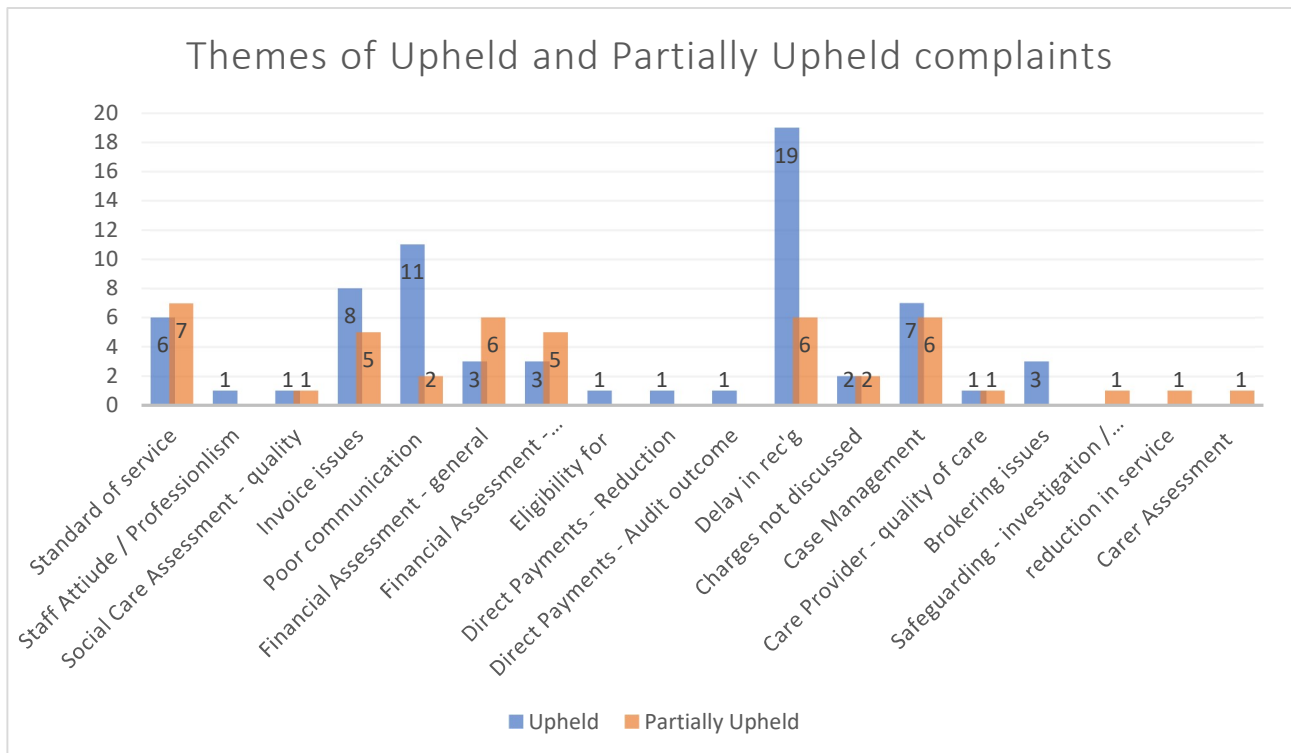
Outcomes

168 Stage 1 complaints were closed during 2022-23.



40% of complaints were upheld and **26%** were Partially upheld.

The table below details the themes of the complaints which were upheld and partially upheld.

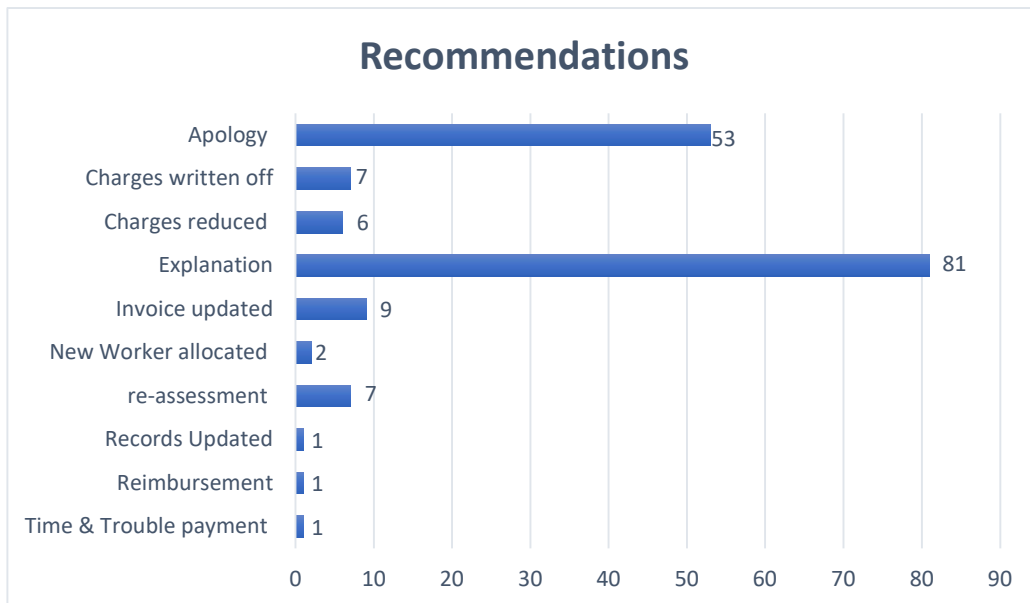


The above categories are self-explanatory and give a clear indication of the overall areas of complaint that had the most upheld / partially upheld complaints.

28% of complaints which were Upheld were regarding the delay in receiving a service, with **68%** for the Financial Assessment Team and **21%** for the Brokerage Team. These complaints are regarding delay in receiving a financial assessment and length of time taken to source a care provider. **16%** of complaints that were upheld were regarding poor communication.

Recommendations

The chart below details the action taken following the outcome of the 168 complaints which were concluded during 2022-23.



A large proportion of complaints received an apology and / or an explanation of events as an outcome to the complaint. This remains consistent with previous years.

1 complaint received a total of £7123.20 in recognition of the distress caused, time taken in resolving the situation and in full and final settlement of the complaint. The payment equalled the total cost of the current care package back-dated to when the service user left education.

7 complaints resulted in charges being written off, including £400 administration fee for self-funders and **15** complaints resulted in invoices being updated and charges reduced to reflect the care delivered.

Learning actions

- Brokerage Liaison Officers have been reminded of the importance of recording all contact details, including email addresses, for the purposes of audit.
- Consideration with senior management of the current communications and surrounding processes for scenarios where a resident agreement is not signed and returned.
- Training and development sessions to be planned and delivered to all staff within the First Contact Team in respect of carer assessments.
- Reminder to staff within the First Contact Team to always send a copy of the assessment to the client and / or representative to ensure a written record is shared.
- Employment of additional staff and team restructuring within the Finance Team as well as the change to processes to speed up and ensure greater accuracy in the treatment of incoming payments.

- The Finance Team are making changes to the direct payment letters as well as seeking to change the way that retrospective charges to direct payments need to be processed differently going forward.
- An action plan has been developed for the Brokerage Service which will enable the team and the management team to take a firmer grip of case working and those cases that are managed through the duty system. From a brokerage perspective colleagues have taken reflection and acknowledge the duration of the episodes and how they actively should update on progress. Brokerage have also identified further learning around clarity of assessment needs and how these should be escalated.
- Recommendation made that the team undertake a Recording with Care workshop to enable practitioners to be reminded of the importance of recording. This has also been addressed in supervision and as part of a wider reflective session.
- Discussions with commissioners who lead on Supported Living across the County and the lack of response from providers with suitable placements in shared accommodation
- Regular audit and review of cases by ALDT and Brokerage (as appropriate) to ensure the accuracy of Pen Portraits, to aid with sourcing of placements in a timely manner

Response timescales

The timescale for investigation under this part of the procedure is 20 working days, this is not a statutory requirement but an operational goal that may be subject to negotiation for more complex complaint investigations.

Out of the 168 Stage 1 complaints closed during 2022 /23 the average number of days taken to respond was **31** days.

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 **2** complaints independently investigated during 2022/23

The **first complaint** was received on behalf of the Shareholders of a nursing home, detailing concerns relating to the involvement of, and their dealings with, Officers from Staffordshire County Council (SCC), the Midlands Partnership NHS Foundation Trust (MPUFT), and the Staffordshire and Stoke on Trent Integrated Care Board (ICB). The Statutory Agencies listed above had been providing intensive support to the nursing home through the process of a Large-Scale Enquiry.

The complaints were directed to Staffordshire County Council as the public body with statutory responsibility for adult social care provision.

The Complaints raised by the former shareholders of the nursing home were either Not Upheld or there was insufficient evidence to substantiate them.

The **second complaint** investigation was in respect of home care agency owned by Staffordshire County Council and the care provided to a client which family purports led to her contracting COVID-19 and ultimately her death. The complaint investigation focused on the care provided by the home care agency in relation to the management of the case.

Recommendations

The complaint was Not Upheld as there was no evidence to support the concerns raised by the family. The Investigator had no specific recommendations regarding the complaints raised, however, would suggest that, when writing notes of relayed conversations, these are written in a clearer manner. This was shared with the agency.

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

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 **31** complaints which have been referred to the LGSCO this year. Out of the 31 received;

14 complaints were fully investigated by the LGSCO;

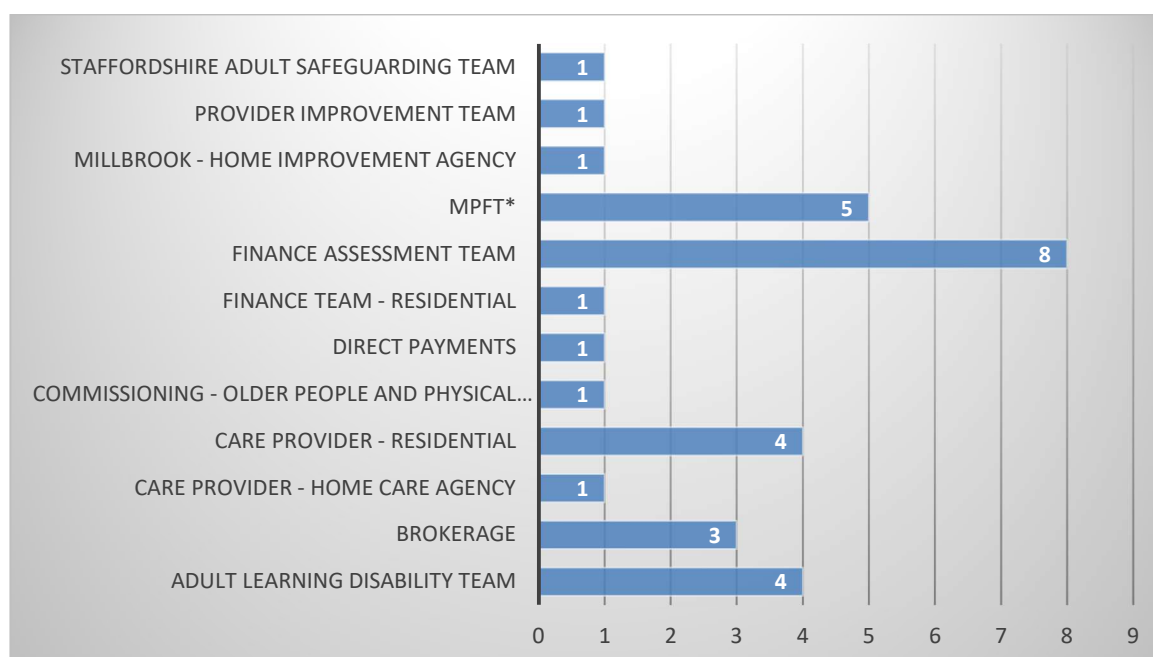
3 were referred back to the local authority for investigation and;

14 complaints were closed after enquiries were made with the Council and it was concluded that the Council was not at fault / and or outside of the LGSCO's jurisdiction.

Compared to last financial year, the numbers of complaints considered by the Ombudsman have remained consistent with **14** full investigations in comparison to **13** during the previous year

Summary of Local Government and Social Care Ombudsman Complaints

The table below details the numbers of complaints escalating to the Local Government and Social Care Ombudsman by each service.

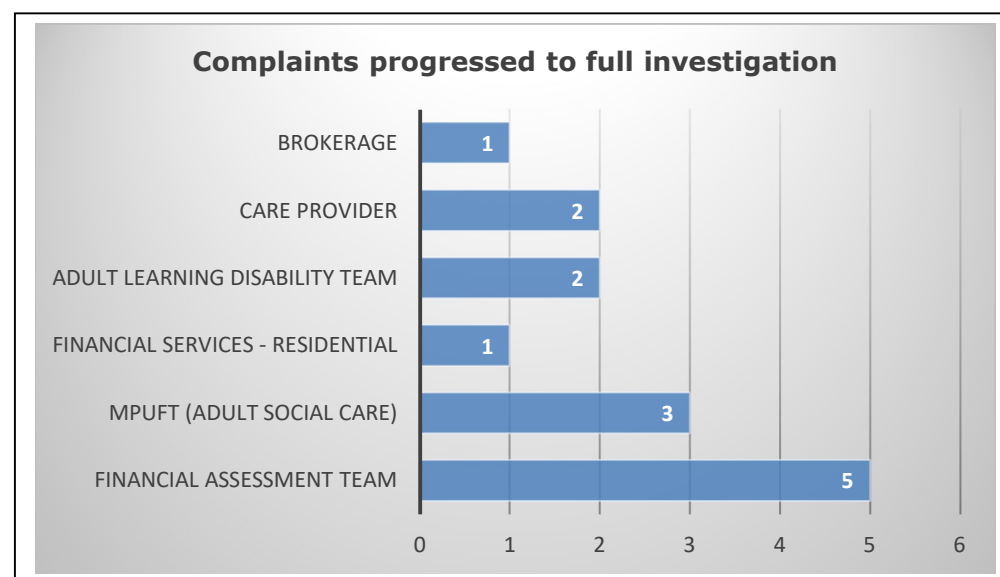
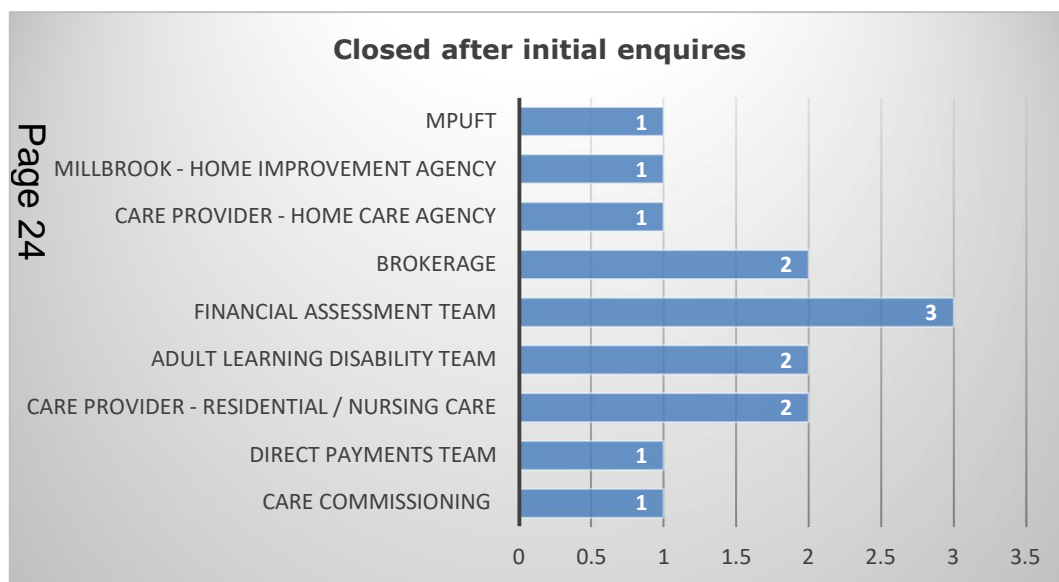


*Midlands Partnership University NHS Foundation Trust (Adult Social Care services)

Of the **31** complaints received by the LGSCO, **14** complaints were closed after initial enquiries with no further investigation for the following reasons;

- The complaint was made late and the LGSCO found no good reason to make an exception to consider the complaint now;
- Further investigation by the LGSCO is unlikely to lead to a different outcome;
- Not enough evidence of fault with actions taken by the Council to warrant an Ombudsman investigation;
- The Council has already offered a suitable remedy;
- Investigation closed – satisfied with the Council’s action to remedy the complaint.

The chart below details the services whereby the complaint was closed after initial enquires and the services whereby a full investigation commenced.



14 complaints proceeded to a full investigation during 22/23 and at the time of writing this report **8** complaints remain open and either under investigation or at the Draft Decision stage. The outcomes of these investigations will be reported in the 23/24 annual report.

Out of the **14** investigations, **2** complaints are in relation to a **care home** to which the service users are self-funding their placement. The investigator will approach the Council for information to assist with their enquiry however the complaint is regarding the provider.

The remaining 12 complaint investigations for the Council were in relation to the following themes;

Financial Assessment Team

How the Council has assessed the financial contribution Mr X should make towards the cost of his care and support. Specifically, Mr X says the Council:

- a. failed to carry out financial assessments when asked to do so, over a number of years;
- b. failed to properly record payments he made towards the cost of his care and support;
- c. used out of date financial information to assess his contribution;
- d. sent requests for payment at inappropriate times; and
- e. failed to be transparent about how it had determined his contribution and calculated the amount of money owed.

Mr X says the Council has incorrectly said he must pay a large bill towards the cost of his care and support, which he cannot afford. This has caused frustration and distress, affecting Mr X wellbeing

This complaint is currently under investigation.

Financial Assessment Team

The Council failed to inform Mr Y that his care was chargeable, and he was shocked to receive an invoice. He tried to cancel care and was told by the agency this was not possible. He is anxious about the mounting costs which he cannot afford.

This complaint is currently at the Draft Decision stage

Financial Assessment Team

Mrs X complained about the Council's delay in carrying out a financial assessment to determine her mother, Mrs Y's contribution to the costs of her residential care. This resulted in a large and unexpected invoice being sent August 2022 covering the period from April 2021.

Mrs X is concerned the payment of additional, unexpected costs will cause financial hardship and put her mother's care at risk

The complaint is currently under investigation

Financial Assessment Team

The Council's charge for Ms Y's care was unaffordable.

Outcome – Not Upheld - No Maladministration. The Council applied relevant guidance and its charging policy in Ms Y's financial assessment. There is no fault in the way the Council considered Ms Y's expenses when it calculated her care charge.

Financial Assessment Team

The Council failed to initially explain in full the costs of Mr X's care package and failed to reduce the care package when Mr X requested it. Mr X is unable to afford the costs and was discharged from hospital in December 2021 with no care package.

Outcome – Upheld – Maladministration and injustice.

Financial Services – Residential

Mrs C is deceased. Her son, Mr R, acted as her representative. Mr R said the Council was at fault for: a) Charging Mrs C for adult social care having agreed in June 2019 that it would fund her care itself; and b) For its failure to present the invoice until six months after Mrs C's death. 2. Mr R said this caused injustice because Mrs C should not have had to pay the fees and the delay in informing him of the bill caused him shock

Outcome – Upheld – Maladministration and injustice

Multi-agency complaint concerning the Brokerage Service, MPUFT and Harplands Hospital.

The complaint was summarised as - Mrs X says Staffordshire County Council and NHS Staffordshire and Stoke-On-Trent Integrated Care Board failed to ensure she was provided with the care and support she was entitled to in line with section 117 of the Mental Health Act 1983 following her discharge from hospital in July 2021.

This complaint remains under investigation and the outcome will be included in next years annual report.

The LGSCO investigated a complaint regarding adult social care services provided by MPUFT on behalf the Council.

Mrs Y complained about the advice and information the Council gave her about her late mother's (whom I shall refer to as Mrs Z), care charges. She complains:

- when she first realised the float in Mrs Z's direct payment account was decreasing, it took a long time to get the Council to respond;
- when the Council did respond, it did not advise her about all her alternatives;
- 2 years later, a new social worker advised of a way of avoiding top up fees. The Council should have earlier given this advice.

Finding – Upheld - Maladministration and injustice

complaint regarding adult social care services provided by MPUFT on behalf the Council

Mr Y complains about the way the Council decided that the care and support needs of his brother, Mr X, could be met at his home, and he therefore did not qualify for a Deferred Payment Agreement. Mr Y also complains about delays by the Council and its failure to provide information and reply to his correspondence. Mr Thomas says that as a result of the Council's failings, his brother felt he had to remain living in a nursing home. As the Council did not provide financial support, his brother used all his savings to pay the nursing home fees, after which Mr Y funded his brother's care. He says that both he and his brother were caused distress and were put to avoidable time and trouble.

Finding – Upheld - Maladministration and injustice

complaint regarding adult social care services provided by MPUFT on behalf the Council

The complainant, whom I shall refer to as Ms C, complains a social worker tried to detain her under the Mental Health Act 1983 after she cancelled her meals-on-wheels service because of a hospital stay, interfered with district nurses giving her injections to

prevent blood clots and obtained information from her doctor without her consent. Ms C also complains the Council failed to provide help when she tried to restart her meals-on-wheels service after coming out of hospital and during a period when the service stopped without notice. Ms C also complains the Council provided no care or support after her discharge from hospital. 2. Ms C says because of the Council's fault she suffered unnecessary time, costs and upset during an already difficult time and damage to her previously good relationship with her doctor.

Findings – Upheld - Maladministration and injustice

Adult Learning Disability Team

The Council took too long to assess daughter's needs when the family moved to Staffordshire and no package of care put in place. Despite the Stage 1 complaint being upheld, and identifying the need for a re-assessment, this has not been carried out. The Council's financial assessment failed to take account of daughter's situation properly and she was forced to have Direct Payments when she did not want to. The Council did not provide a carers assessment and Mrs R stated she had not been able to take her daughter to respite care because of the costs of getting her there and because the contribution to her care is too high. She complains the lack of support led to her daughter's behaviour worsening and it has placed them under pressure which caused strain, illness and relationship difficulties. Dealing with Direct Payments has also caused unnecessary stress.

Outcome – Upheld -Maladministration and injustice.

Adult Learning Disability Team

During the COVID-19 pandemic Mrs X was wrongly expected to continue to pay for day centre services for her son, Mr Y, despite those services not being open or only providing a reduced service at times. That while she has received some refund of client contributions the calculation for these has not been explained and is insufficient for the cost of meeting his needs in the absence of the day centre provision. Mrs X also complains that before the pandemic the day centre was charging an additional £7 a day for Mr Y's transport which was not explained nor invoiced for.

Outcome - Upheld -Maladministration and injustice.

OUTCOMES AND LESSONS LEARNT / RECOMMENDATIONS

The table below details the recommendations and lessons learnt which have been identified for the LGSCO complaint investigations closed during 2022/23.

Service	Recommendations	Lessons learnt identified
Midlands Partnership University NHS Foundation Trust (Adult Social Care)	<ul style="list-style-type: none"> • Apology letter and payment of £500 to complainant in recognition of his distress and the time and trouble Mr C has been put to as a result of the failings identified. • The Council wrote to Mr C following the independent investigation of his complaint. It said that it would be completing a series of quality audits to verify that all clients are correctly receiving a copy of their assessments.- Please provide evidence of this. • It also said that the Council had: <ul style="list-style-type: none"> - Improved its processes and resource capacity to prevent significant delays in carrying out social care needs assessments. - Review its procedures and provide training to relevant staff to ensure there is continuity of care when a person with care and support needs is moving to another council area. <p>Please provide evidence of the above actions.</p>	<p>The Council now carry out practice audits which include the following question - 'Has a case note been recorded to evidence that the person has been provided with a copy of their assessment / review and support plan?', in order to monitor whether assessments are being sent to clients following completion.</p> <p>Resource capacity has increased, and it is taking an average of 12.3 days for first contact assessments to take place. The Council closely track exceptional cases that take longer.</p> <p>With regards to assurance on staff learning and correction of practice in relation to keeping cases allocated when a person is to move from one LA to another, this action was agreed for MPUFT and the learning was shared with Practice Leads for cascading to respective team members.</p>
	<ul style="list-style-type: none"> • Apologise to Ms X for the faults I have identified and the avoidable distress. • Make her a payment of £250 (each council) to recognise that distress. • The council will review its procedures for dealing with prisoners who have care and support needs to ensure: 	<p>Draft guidance produced in respect of planning for release and disseminated to the team. A team away day was planned for 28th September 2022</p>

	<ul style="list-style-type: none"> - social workers and their managers consider the powers to fund residential/nursing placements where a prisoner's intended location is unclear and may be outside the area. - multi agency meetings take place urgently where there is a change in intended placement on release. 	where this was to be discussed in detail with the team and case examples used to aide learning.
Midlands Partnership University NHS Foundation Trust (Mental Health Team)	<ul style="list-style-type: none"> • Write to Ms C to apologise for not providing a timely response to her contact in August 2021 about problems with her frozen meals service and the fault identified in its complaints procedure. • Pay Ms C £200 in recognition of her upset and time and trouble • Ensure the Council has a protocol in place for ensuring any future issues with the frozen meal service are actioned including contact with the meal provider as necessary within six weeks of my final decision; and • review its complaints procedure to ensure details are provided to complainants at the outset of any complaint and complaint responses provide details of how to escalate the matter if the complainant remains dissatisfied including reference to the Ombudsman within three months of my final decision. 	<p>Advised the LGSCO the following –</p> <p>The Council do not have a contract in place for providing frozen meals. This is an arrangement on an individual basis for Ms C and therefore the Council is unable to put a protocol in place. However the Council has requested that the social work team have a plan in place with Ms C to ensure that they make contact if there are any future issues.</p> <p>The PALS team have reviewed their communication with service users and at the end of their email to stress further that a person can go through the complaints process before escalation to the LGSCO</p>
Financial Services	<ul style="list-style-type: none"> • Write to Mr R and apologise for any distress caused by the failure to inform him of Mrs C's assessment sooner. • Pay Mr R £250, and 	n/a

	<ul style="list-style-type: none"> • Offer Mr R the opportunity to pay the outstanding balance by instalments if he is unable to pay at once. 	
Midlands Partnership University NHS Foundation Trust (Adult Social Care)	<ul style="list-style-type: none"> • Pay Mrs Y £750 as a symbolic recognition of the distress the fault will have caused. • Write to Mrs Y providing further information about the learning the Council told Mrs Y it has taken from her complaint. And what it is doing differently as a result. 	All social workers have been reminded of the importance in ensuring that they clearly explain at the earliest opportunity information regarding charges and available options in relation to care arrangements and that they appropriately document this. Compliance with this is being monitored through the Quality Assurance Framework.
Adult Learning Disability Team	<ul style="list-style-type: none"> • The Council should apologise to Mr and Mrs X and pay them £300 to recognise the distress caused by the delays, the lack of communication and failure to properly respond to her queries. It should pay £100 to recognise the time and trouble Mrs X has spent pursuing the complaint as a result. • The Council should re-assess Y, or update her existing needs assessment to ensure it reflects her needs properly. Copies should be provided to Mrs X promptly. • Respite care should be made available to Mr and Mrs X as specified in Y's needs assessment. Mrs X's SW should explain what respite is available, how this can be accessed and confirm whether Y's financial contribution covers both day care and respite care. • The Council should arrange to meet with Mrs X, and it should respond to any outstanding queries or concerns she has. These should be responded to promptly. 	The Council has agreed to make service improvements to learn wider lessons from this complaint. It has agreed the need to be conscious at all times of its duties towards carers. It also recognises that it should have oversight where users are repaying underpaid client contributions, to make sure these are not overpaid in the light of fluctuating contributions or changes in provision.
Adult Learning Disability Team (North)	<ul style="list-style-type: none"> • Apologise to Mrs X accepting the findings of this investigation; • Pay Mrs X £820; this is made up of £100 token payment to recognise its failure to give her correct 	Learning actions identified are currently under consideration.

	<p>advice in June 2020; £420 for not reviewing Mr Y's transport costs after October 2020 and in recognition of the costs Mrs X incurred; £150 for the uncertainty that arises about Mrs X's choices because of Council fault after 1 July 2021 and £150 to recognise the consequence of not assessing her needs as a carer in May 2021.</p> <ul style="list-style-type: none"> • Issue a reminder to all staff who carry out adult needs assessments of our expectations when assessing the needs of carers – which is that the Council act in a way consistent with the law and guidance summarised. • Introduce a policy (or review any existing policy) for administering underpayments of client contributions to ensure that for those making such payments in instalments, they receive regular updates as to the balance outstanding and to prevent the risk of overpayment. 	
Finance Team and Midlands Partnership University NHS Foundation Trust	<ul style="list-style-type: none"> • Apologise to Miss C and Mr X for not properly considering their request to reduce Mr X's care. • Review Mr X's care package and properly consider his request to see if it would make a difference to his contribution. If it would have made a difference between May and August 2022 when Mrs Y was not at the property, the Council should backdate any reduced costs during this period. 	n/a

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 **282** enquiries each requiring redirection to other organisations/authorities or action into other procedures.

Dealt with by Complaints Team*	159
Referred to Adult Social Care (MPUFT)**	32
Corporate Complaints Procedure	2
Joint Statutory Stage 1 response with other organisation / NHS	1
Referral to another Organisation / Provider for action / investigation	15
MP Enquiry (Adult Social Care)	68
Safeguarding referral initiated	5
Total	<u>282</u>

*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.

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

23% of duty matters were resolved with **the Financial Services**. This often included a telephone call to the complainant to explain an invoice / charges. This also includes resolving concerns raised regarding charging for home care provision when the visit has been missed or delayed.

11% of complaints received were referred to **Adult Social Care (MPUFT)**. Generally, concerns were regarding the information provided by a social worker in respect of charges for services when a care is arranged.

Compliments

During 2022/23 a total of **68** 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 and not forwarded to the Complaints Team for recording.

Services provided by Staffordshire County Council	No. Rec'd
Brokerage Team	33
Adult Learning Disability Team	19
Adult First Contact Team	10
Provider Incident Management Support	4
Adults and Children's Financial Service	2
TOTAL	68

I have just used the telephone service for info about adult social care, financial assistance etc. and found it very helpful and informative. The individual I spoke to was excellent and took time and effort to make sure I got the answers I needed.

Very happy with my daughters social worker, who has helped us recently with funding and paperwork. Always at the end of the phone for help and guidance.

I just wanted to let you know that yesterday a P1 move within respite needed to be completed. The Broker was very supportive and I just felt that we worked together, assisting each other to find a suitable safe placement. She kept me informed on what was happening and this assisted in reducing the stress of moving someone later in the day, we did both stay after 5pm and did not stop until we knew everything was in place

I wanted to let you know my experience of my carers assessment on 10 June 2022.

Knowing how much pressure services are under and lacking in crucial resources, I never felt rushed, not listened to during the assessment. 'L' had a lovely manner and let me pour my heart out in the call. She also gave me useful information and thinks to think about. I have already received a call today from the carers support service.

Thanks you for doing an amazing much needed role to an outstanding level!

Service Approach for 2022/2023

- To develop processes within the Complaints Team and services areas to ensure recommendations / lessons learnt are captured and reported to senior management on a monthly basis.
- To continue to develop and enhance reporting processes and requirements with colleagues within Staffordshire County Council in order to provide complaint data regularly to senior management.

Safeguarding Overview and Scrutiny Committee - Thursday 27 July 2023

Customer Feedback and Complaints Service Childrens Social Care Annual Report 2022/23

Recommendation

I recommend that the Committee:

- a. That the Committee consider the Annual Report of the Customer Feedback and Complaints Service, Children Social Services 2022/23, taking the opportunity for any comments on the content of the report.

Local Member Interest:

N/A

Report of Cabinet Member for Children and Young People

Summary

What is the Overview and Scrutiny Committee being asked to do and why?

1. That the Committee consider the Annual Report of the Customer Feedback and Complaints Service, Childrens Social Services 2022/23 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 Service, Childrens Social Services 2022/23 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 – Children and Families Services Statutory Annual Complaints and Feedback Report 2022 - 2023

Contact Details

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Children and Families Services Statutory Annual Complaints and Feedback Report 2022 – 2023

Author: Elaine Hemming

Date Tuesday, 20 June 2023

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 2022 to 31 March 2023. The report and service are 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 District Operational Lead.

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.

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)

In the event that a complainant remains dissatisfied following exhaustion of all stages of either 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.

Key Numbers and Initial Overview



A total of **375** complaints investigated through the different stages of the Statutory and Corporate Complaints Procedures. An increase of 67% compared to 2021/22 (224 complaints)



193 compliments received for the whole service.



57% of completed complaints responded to within prescribed timescales (2021/22 reported 62%)



28% of completed stage 1 complaints found upheld, **29%** found not upheld, **26%** found partially upheld. At the time of reporting 17% remained outstanding/had been withdrawn.



199 matters recorded under the duty category. An increase of 47% compared to the 2021/22.



39 matters considered by the Local Government and Social Care Ombudsman (LGSCO)



Top three areas for nature of complaint:

Standard of Service **33%**

Case Management **19%**

Delay with EHCP **16%**



Top three areas for who is complaining:

Parent **65%**

Advocate **7%**

Foster Carer **7%**

Wider Scale Overview

	2022/2023	2021/2022	% Difference
Statutory S1 Complaint	142	92	+56%
Statutory S2 Complaint	13	6	+133%
Statutory S3 Complaint	3	3	-
Corporate S1 Complaint	201	118	+72%
Corporate S2 Complaint	14	18	-22%
Duty	199	135	+47%
MP Enquiries	146	117	+24%
LGSCO	39	43	-16%
Compliments	193	199	-3%

The table above shows that there has been a significant increase across almost all aspects of complaints. This report provides the first full twelve months of data since the Children and Families Services underwent a transformation. The style and layout of this report will therefore be as reflective as possible of the services structure and will follow the district-based model where this is possible. In respect of the SEND service, data has been collated for the whole service rather than within the districts as it was felt this provided a clearer overview of their complaints.

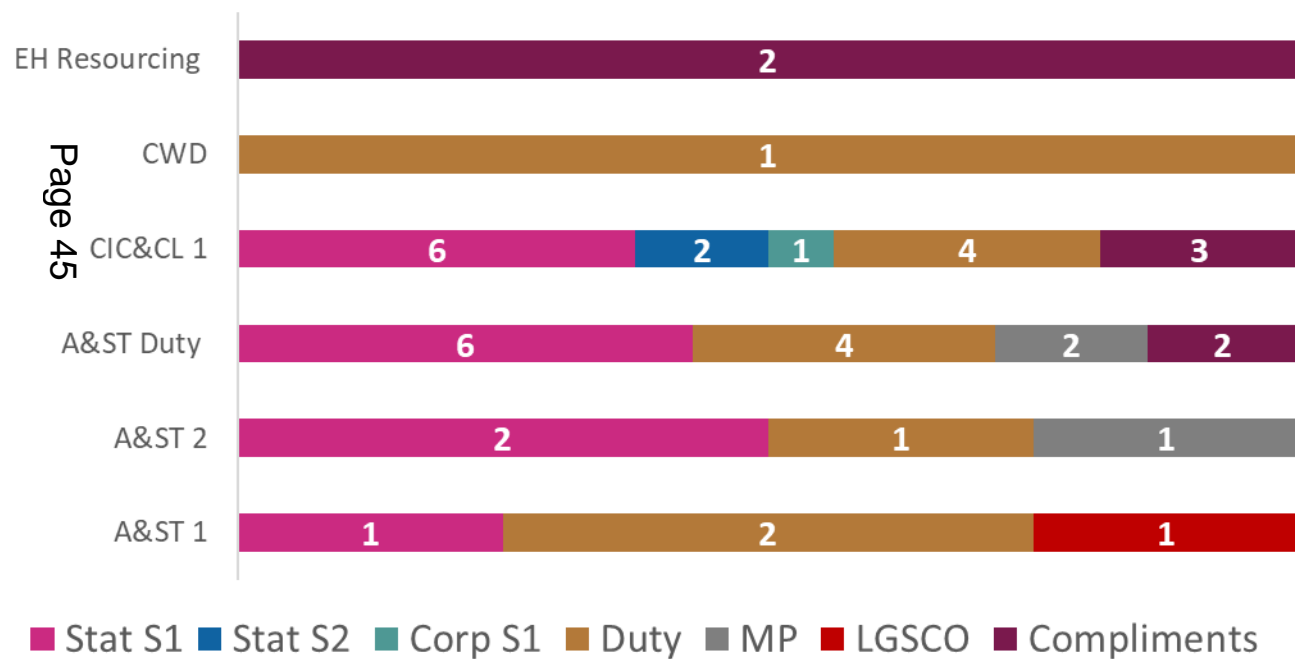


Team Abbreviations Key

A&ST	Assessment and Staying Together
CIC&CL	Children in Care and Care Leavers
CWD	Children with Disabilities
EH Resourcing	Early Help Resourcing
LGSCO	Local Government and Social Care Ombudsman
SEND	Special Educational Needs and Disabilities

Cannock District

Number of Complaints by Team:



Response Timescales:

In Timescale	5
Out of Timescale	6
Withdrawn/Ongoing	5

Outcome of Complaints:

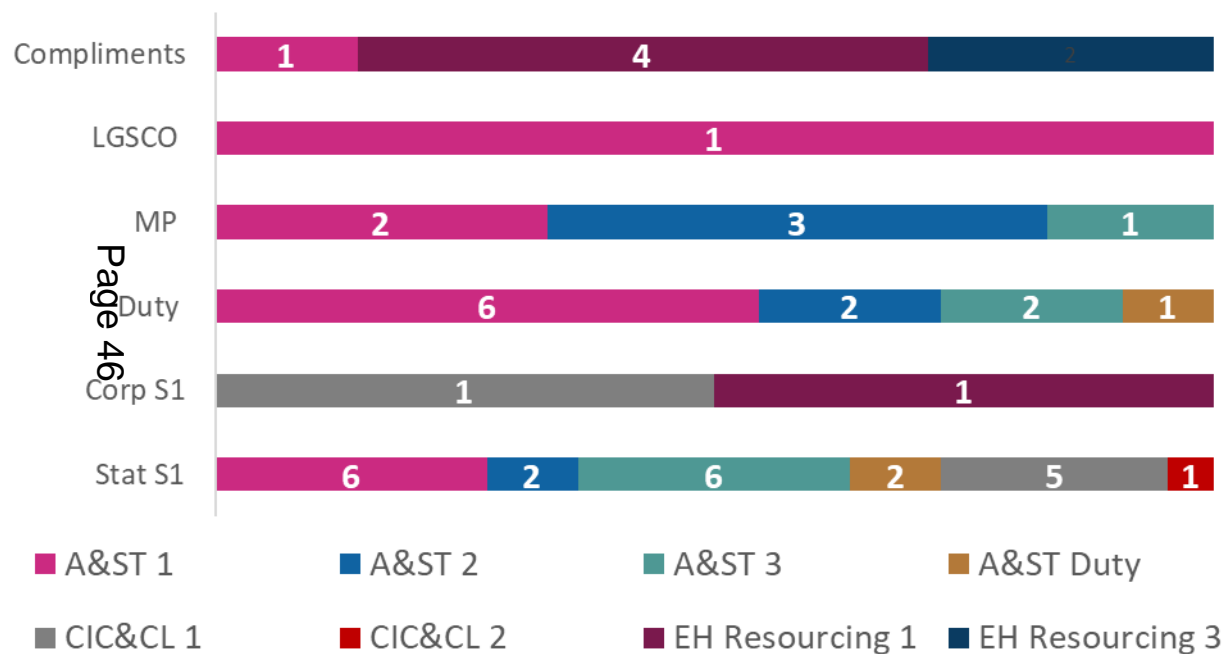
Upheld	4
Not Upheld	1
Partially Upheld	6
Withdrawn/Ongoing	5

Nature of Complaints:

Case Management	7
Standard of Service	3
Staff Conduct	4
Quality of SW Assessment	2

East Staffs District

Number of Complaints by Team:



Response Timescales:

In Timescale	12
Out of Timescale	8
Withdrawn/Ongoing	4

Outcome of Complaints:

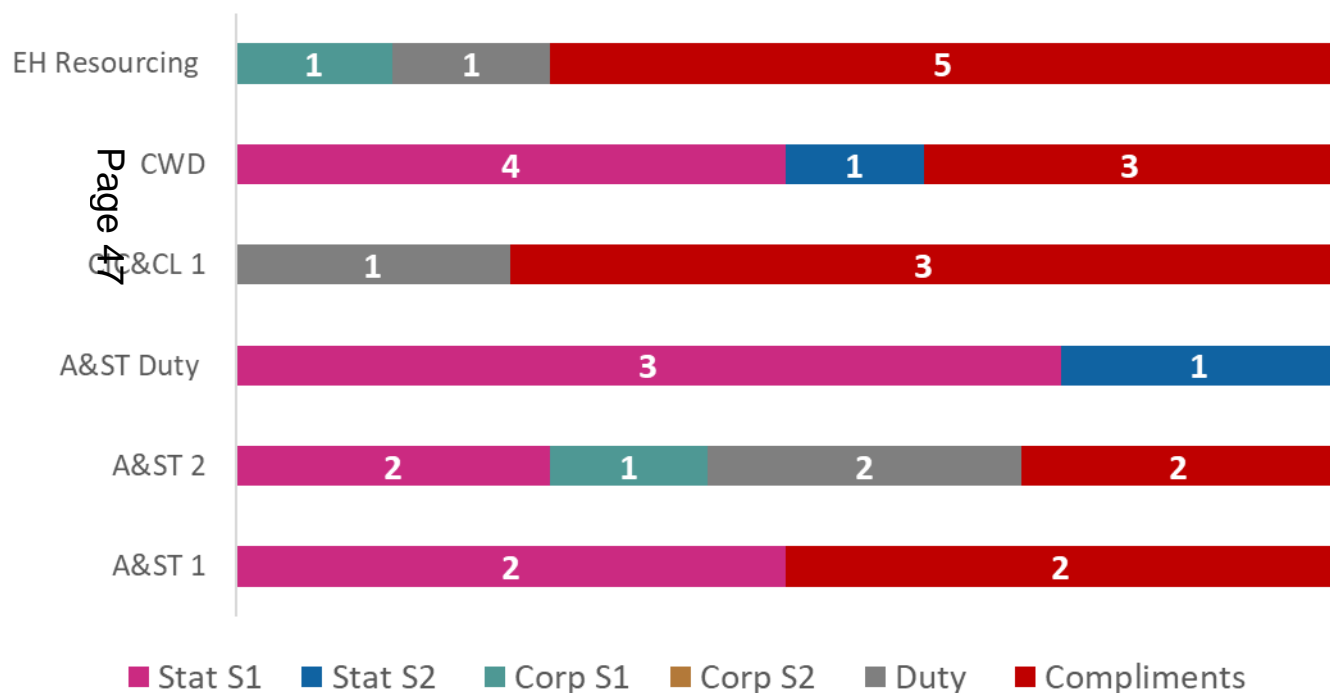
Upheld	2
Not Upheld	10
Partially Upheld	8
Withdrawn/Ongoing	4

Nature of Complaints:

Case Management	9
Standard of Service	9
Staff Conduct	6

South Staffs District

Number of Complaints by Team:



Response Timescales:

In Timescale	3
Out of Timescale	2
Withdrawn/Ongoing	8

Outcome of Complaints:

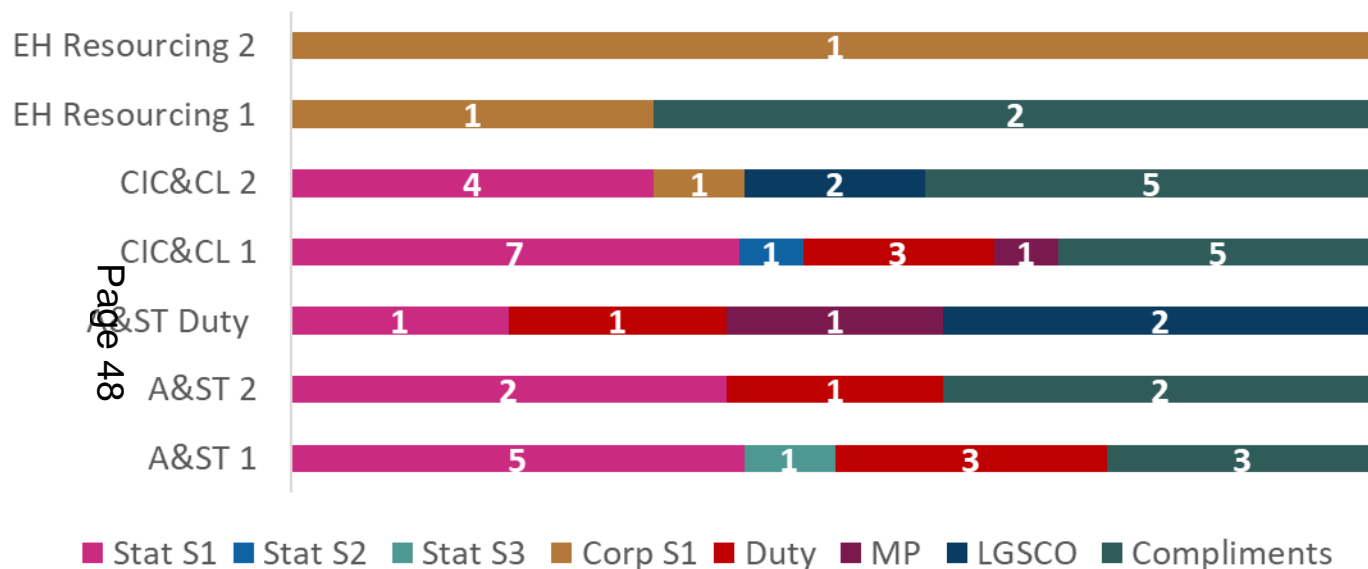
Upheld	2
Not Upheld	1
Partially Upheld	2
Withdrawn/Ongoing	8

Nature of Complaints:

Case Management	4
Standard of Service	4
Staff Conduct	3
Quality of SW Assessment	2

Stafford District

Number of Complaints by Team:



Response Timescales:

In Timescale	3
Out of Timescale	2
Withdrawn/Ongoing	8

Outcome of Complaints:

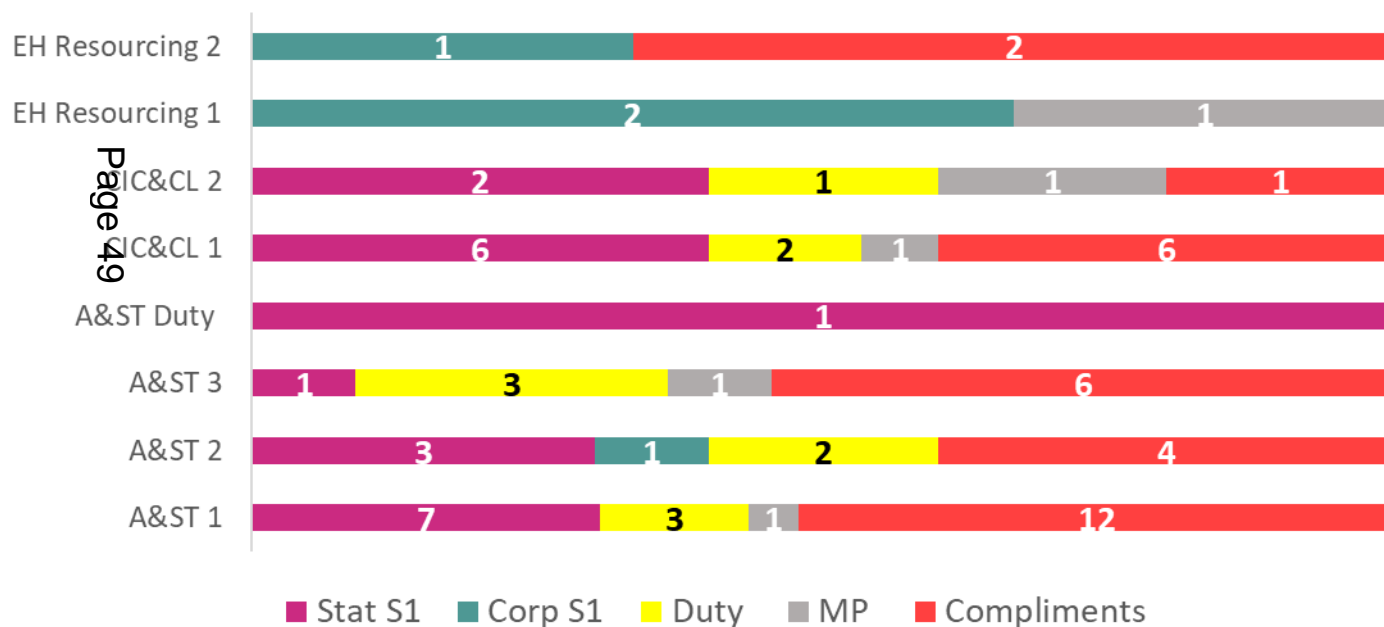
Upheld	6
Not Upheld	2
Partially Upheld	8
Withdrawn/Ongoing	6

Nature of Complaints:

Case Management	7
Standard of Service	14
Staff Conduct	1

Newcastle District

Number of Complaints by Team:



Response Timescales:

In Timescale	3
Out of Timescale	2
Withdrawn/Ongoing	8

Outcome of Complaints:

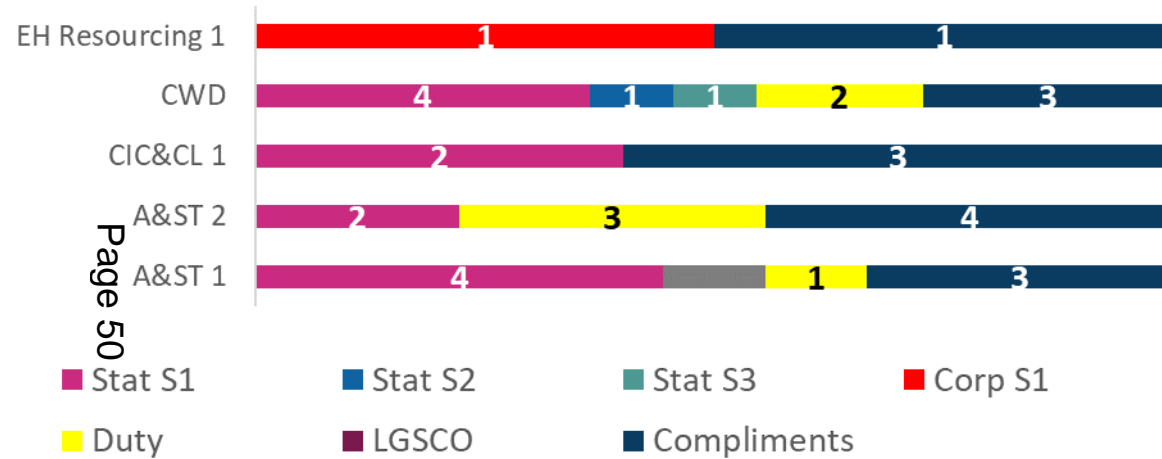
Upheld	2
Not Upheld	10
Partially Upheld	9
Withdrawn/Ongoing	1

Nature of Complaints:

Case Management	9
Standard of Service	12
Staff Conduct	1

Moorlands District

Number of Complaints by Team:



Response Timescales:

In Timescale	6
Out of Timescale	4
Withdrawn/Ongoing	3

Outcome of Complaints:

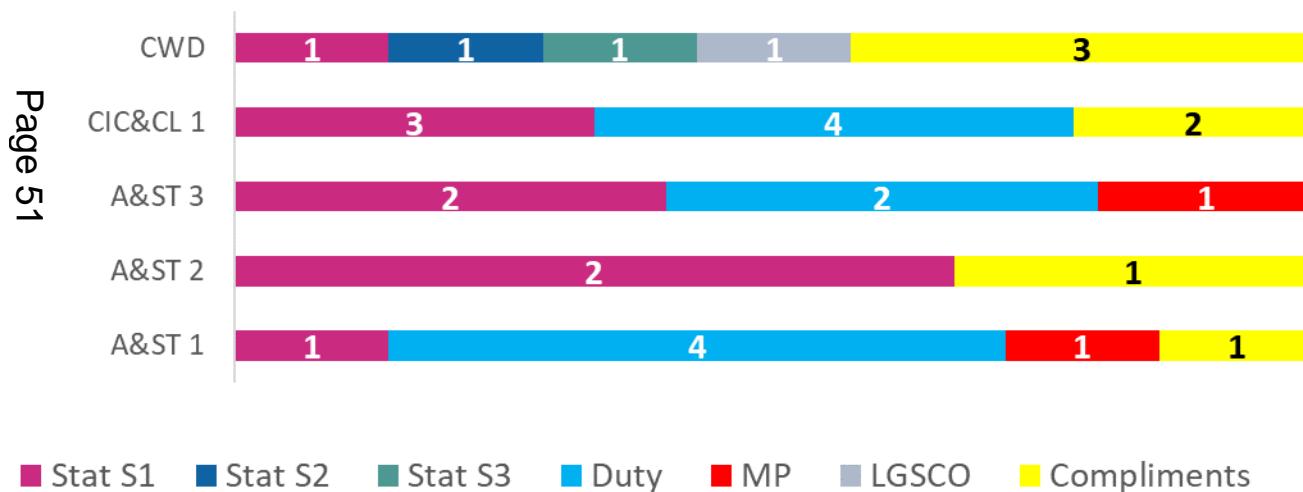
Upheld	5
Not Upheld	3
Partially Upheld	2
Withdrawn/Ongoing	3

Nature of Complaints:

Case Management	1
Standard of Service	6
Staff Conduct	5
Quality of SW Assessment	1

Lichfield District

Number of Complaints by Team:



Response Timescales:

In Timescale	5
Out of Timescale	3
Withdrawn/Ongoing	1

Outcome of Complaints:

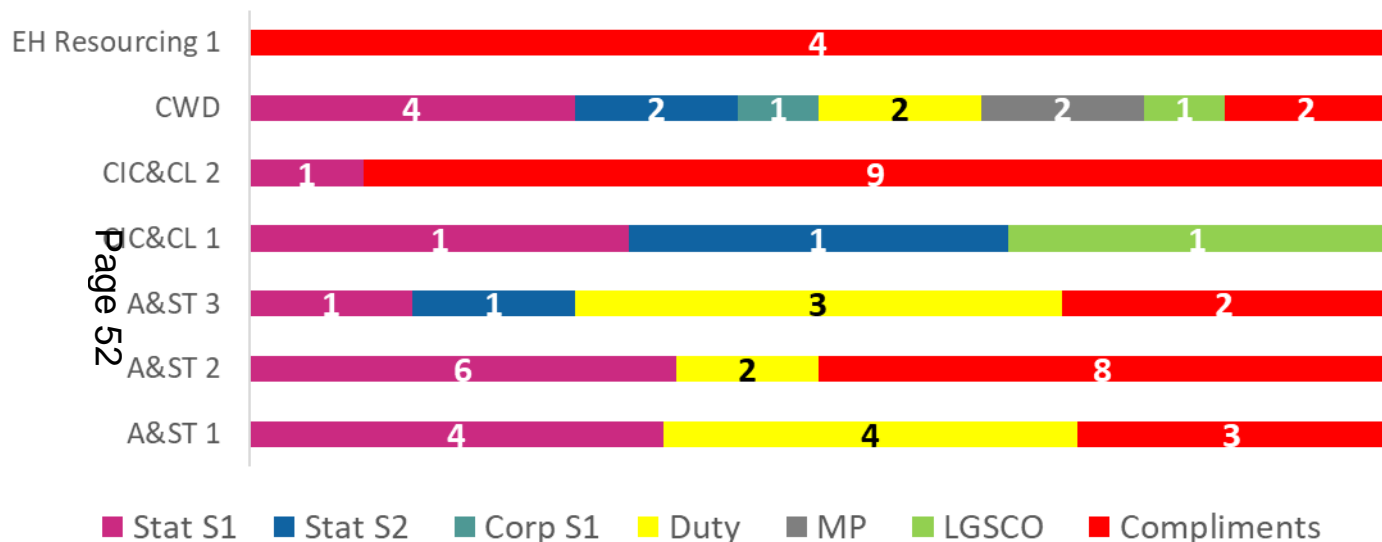
Upheld	3
Not Upheld	3
Partially Upheld	2
Withdrawn/Ongoing	1

Nature of Complaints:

Case Management	2
Standard of Service	5
Staff Conduct	2

Tamworth District

Number of Complaints by Team:



Response Timescales:

In Timescale	13
Out of Timescale	1
Withdrawn/Ongoing	4

Outcome of Complaints

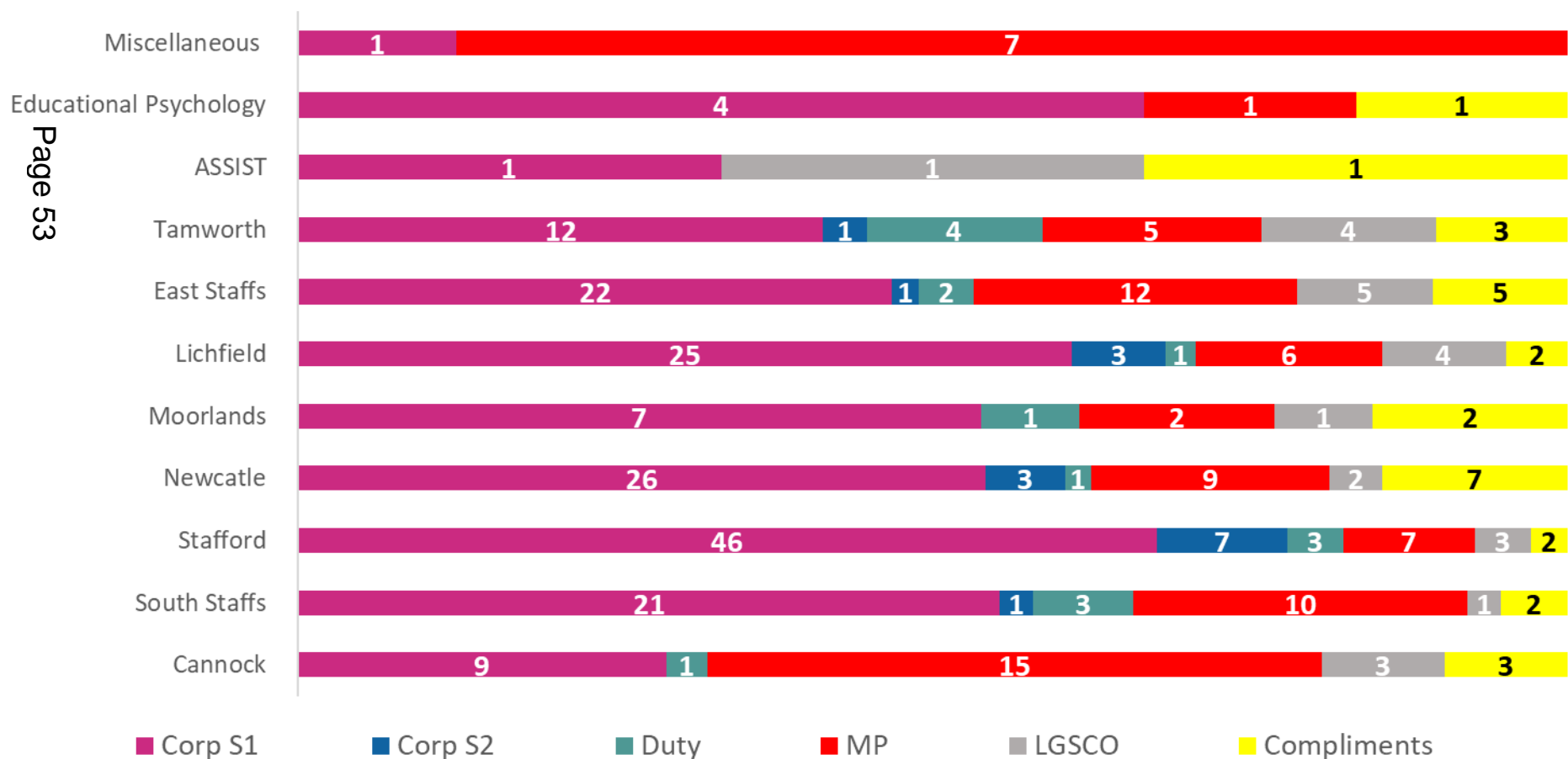
Upheld	3
Not Upheld	9
Partially Upheld	2
Withdrawn/Ongoing	4

Nature of Complaints

Case Management	5
Standard of Service	10
Staff Conduct	1
Quality of SW Assessment	2

SEND Service

Number of Complaints by Team:



SEND Service (continued)

Response Timescales:

In Timescale	112
Out of Timescale	45
Withdrawn/Ongoing	17

Outcomes of Complaints:

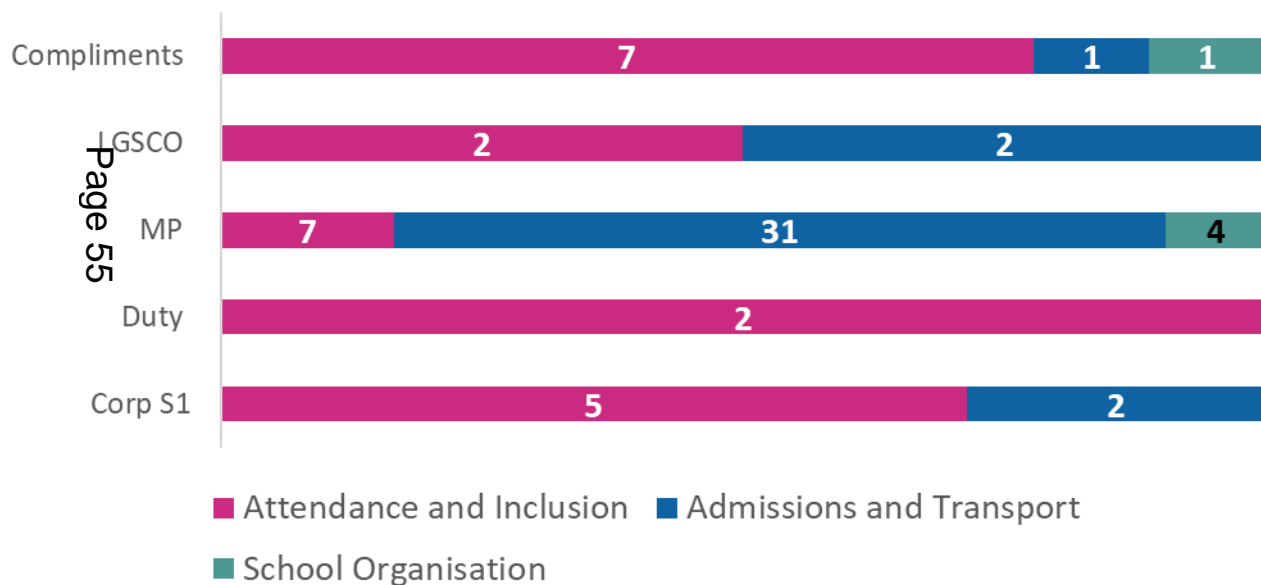
Upheld	67
Not Upheld	45
Partially Upheld	45
Withdrawn/Ongoing	17

Nature of Complaints:

Delay in Annual Review Amendment	21
Staff Conduct	4
Standard of Service	65
Delay in Providing an EHCP	76
Naming of a Provider	4
Transport	3
Refusals to Assess	1

Access to Learning, Inclusion and Attendance

Number of Complaints by Team:



Response Timescales

In Timescale	3
Out of Timescale	1
Withdrawn/Ongoing	3

Outcomes of Complaints

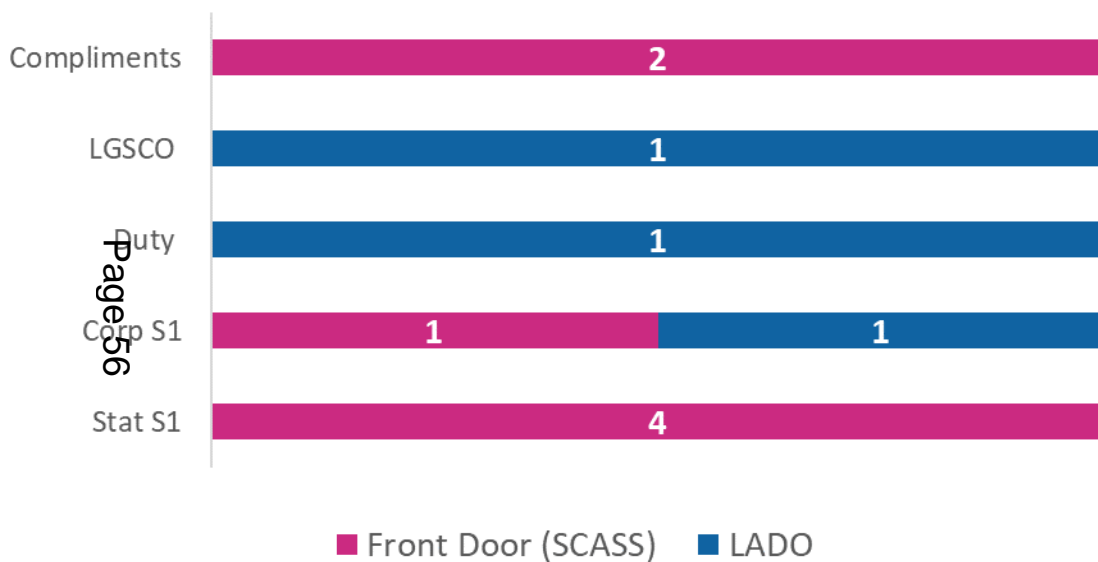
Not Upheld	3
Withdrawn/Ongoing	4

Nature of Complaints

Case Management	3
Standard of Service	3
Staff Conduct	1

Access to Services and Family Support

Number of Complaints by Team:



Response Timescales

In Timescale	5
Withdrawn/Ongoing	1

Outcome of Complaints

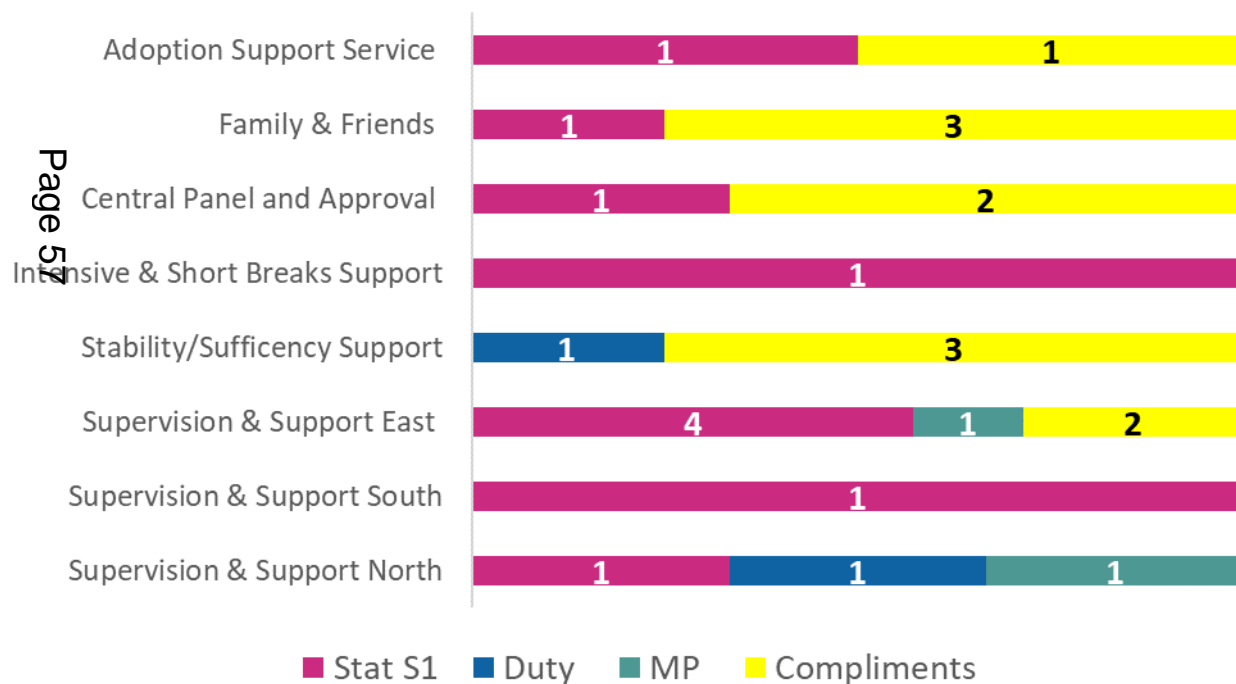
Upheld	1
Not Upheld	2
Partially Upheld	2
Withdrawn/Ongoing	1

Nature of Complaints

Case Management	2
Standard of Service	3
Staff Conduct	1

Fostering and Adoption Service

Nature of Complaint by Team:



Response Timescale

In Timescale	4
Out of Timescale	4
Withdrawn/Ongoing	2

Outcome of Complaints

Not Upheld	3
Partially Upheld	5
Withdrawn/Ongoing	2

Nature of Complaint

Case Management	4
Standard of Service	6

Virtual School Service

Number of Complaints

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Response Timescale

In Timescale	2
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Outcome of Complaints

Not Upheld	2
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Nature of Complaints

Standard of Service	2
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Commissioning and Placements Service

Number of Complaints



Response Timescale:

In Timescale	5
Out of Timescale	1

Outcome of Complaints:

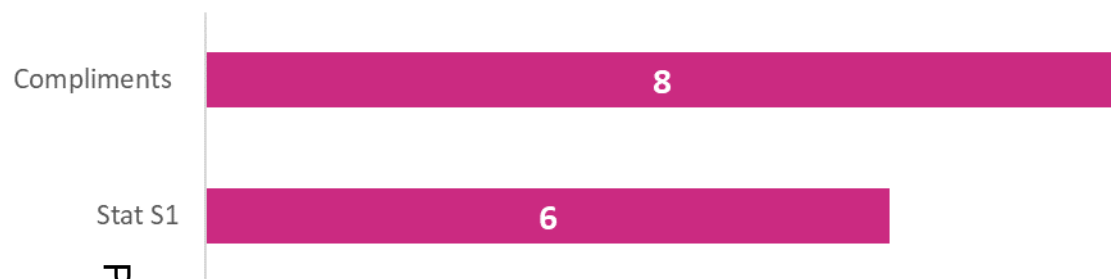
Not Upheld	5
Partially Upheld	1

Nature of Complaints:

Case Management	1
Standard of Service	3
Staff Conduct	2

Independent Conference Chair and Independent Review Officer Service

Number of Complaints



Response Timescale

Out of Timescale	1
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Outcome of Complaints

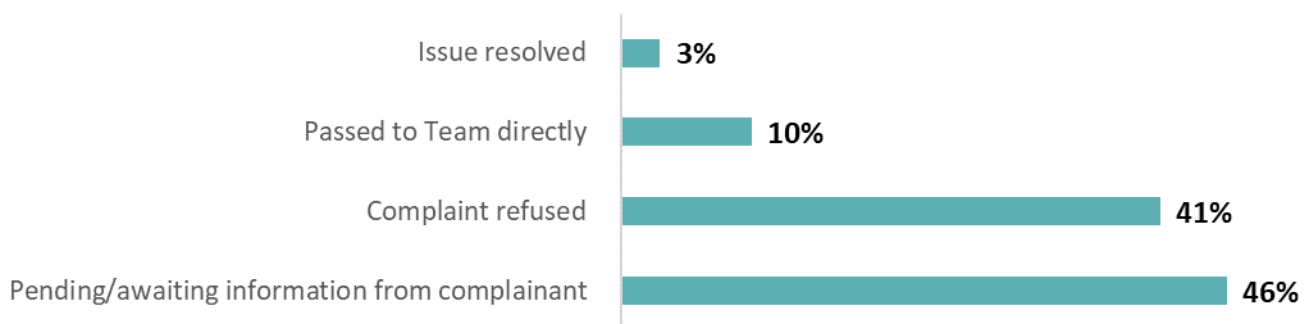
Partially Upheld	1
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Nature of Complaint

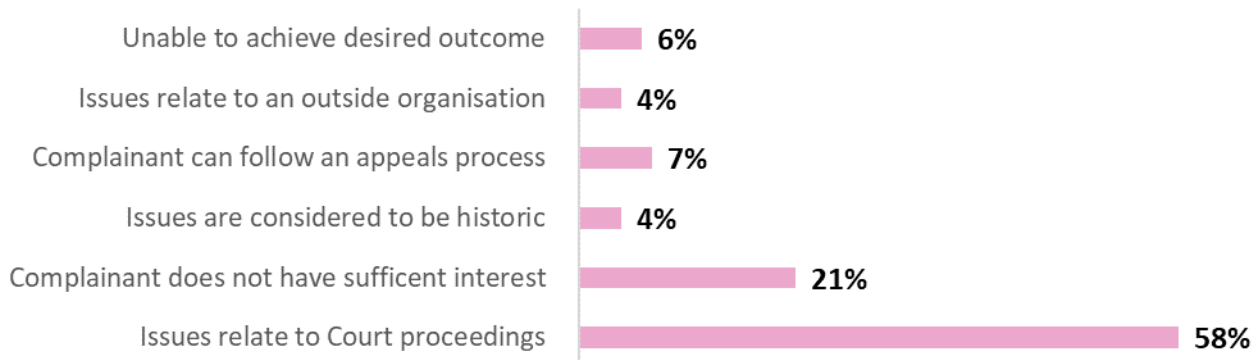
Standard of Service	1
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Duty Matters

A total of 199 matters were categorised under the duty system this reporting year. This represents an increase of 47% compared to the 2021/22 report. The chart below provides further detail of how these matters have been categorised.



In terms of those complaints which are refused further investigation, further detail is provided in the following chart:



Statutory Stage 2 Independent Investigations

The individual district charts provided in the earlier sections of this report, provide an overview of the numbers of investigations per service. The charts below provide a brief overview of the learning actions which have been implemented following the investigations concluding. Readers of this report should note that a number of actions arising from the Stage 2 Independent Investigations recommend actions which are specific to the family or individual concerned and detail of those actions have therefore been omitted from the below.

Service: Children with Disabilities

A selection of actions implemented by the service:

All systems procedures and processes in relation to children and young people with a disability are under review following the transformation of children's services in October 2021.

The current Childrens Disability lead for Staffordshire Childrens Services has introduced proposals which have been accepted which will explore how help can be given to families at an early stage to prevent matters from escalating and to predict problems arising in the first instance.

Service: Children in Care and Care Leavers

A selection of actions recommended and implemented by the service:

For the Local Authority to review its supervision practices as investigation into these complaints has highlighted a lack of professional curiosity and challenge by Team Managers when supervising the actions of their social workers. A new process has been introduced in respect of management oversight, which would achieve this recommendation.

Service: Children in Care and Care Leavers

A selection of actions recommended and implemented by the service:

Findings from this complaint were discussed with the Management Team and the policy and procedures review will be overseen by our Principal Social Worker of Staffordshire Children's Service in conjunction with Head of Service for Quality Assurance. The learning from this complaint will be shared widely across Children's service to inform further practice improvement.

We have taken the learning from this matter and emphasised the need for using restorative language in every mode of communication with children, families and carers. This has been achieved across the service.

Stage 3 Complaints Review Panels

There has been a total of three Stage 3 Panels convened this reporting year. Given the increase of Stage 2 Independent Investigations upon comparison to the preceding year, it should be noted that there has been no increase to complaints progressing to Stage 3. This should

indicate that complainants are happy with the investigation carried out at Stage 2, and do not feel the need to progress to the final stage of the Statutory Complaints Procedure.

The tables below provide an overview of the recommendations and actions which have been implemented through this process.

Service: Childrens Disability Service

A selection of actions recommended and implemented by the service:

It is recommended that thought be given to the way in which parents can be informed that they may need to ask for an assessment. In these particular circumstances where SEND are involved at the beginning of an EHCP process it is suggested that it is an ideal opportunity to inform parents that an assessment by Social Care may need to be requested, if they are not already involved. The process surrounding a SEND Needs Assessment (also referred to as an Education, Health and Care Needs Assessment/EHCNA) has now altered; additional posts were created, and their role is to carry out an initial assessment through a telephone discussion with parents to identify whether there are any unmet social care needs. Information from the telephone assessment and any resulting actions from this are provided to the SEND Team as part of the EHCNA process, with any other information shared with Social Care if there are any unmet needs. This recommendation is therefore considered to be complete.

Service: Childrens Disability Service

A selection of actions recommended and implemented by the service:

- It is recommended that a leaflet or letter template is produced within one month of this report, to clearly explain that when a Care Needs Assessment is requested by a parent or carer, these needs are considered as part of a bigger, more holistic Early Help or Child in Need assessment, rather than being undertaken as a separate stand-alone assessment. This will prevent confusion in future cases and prevent the belief that the request for a needs assessment has been ignored by the local authority. The Local Authority already have in production as a working document, the Threshold Document. This outlines the following:

8. Parents as Carers – their Needs:

8.1 Children's Disability Service will offer carer's assessments to comply with the Care Act (2014), and in line with Children Services' and Adult Social Care Policies and Procedures. Any services offered will also align with the holistic approach of the Framework for the Assessment of Children in Need and their Families.

Many of these assessments will be incorporated into the child social work assessment rather than as a stand-alone document if agreed by carers.

The Local Authority do not consider that a standalone leaflet or document would aid in peoples understanding, however we propose to ensure that workers will clearly outline the above as part of their initial visits and when gathering information for the Child Social Work Assessment. This will be done through the learning from this complaint and detailed within reports which can be shared across the workforce. This will also be cascaded to senior managers who can disseminate the learning through their individual teams.

Service: Childrens Disability Service

A selection of actions recommended and implemented by the service:

- That all social workers are aware of the requirement to record changes to factual inaccuracies in assessments when such claims are made by service users.
I can confirm that all workers within the Children's disability service have been informed via e-mails learning from this complaint and the need for factual inaccuracies to be changed within documents, and the differences between this and their professional opinion/ analysis.

Corporate Stage 2 Reviews

The detail in respect of individual Stage 2 Reviews for each service has been detailed in the earlier sections of this report. The tables below provide an overview of some learning which has been identified through these investigations.

Service: SEND

A selection of actions implemented by the service:

I wanted to take the opportunity to share that we have increased the number of SEND keyworkers working across Staffordshire. You will have seen reference to this in the inspection letter published in March. This is to respond to the increase in the number of initial requests we received as well as the increased number of EHC plans we maintain. We have increased this number from 28 (full time equivalent staff) to 35. New staff are continuing to receive training in our systems and processes which we hope will allow us to provide a better-quality service to children, young people and their families. We are also reviewing the systems and processes of Annual Reviews and have successfully appointed a Principal SEND Family Practitioner Lead to oversee the performance of the SEND systems and processes so that they are delivered in a professional and timely manner. This will include clarification of the evidence required to support decision making as part of an annual review as well as responsibilities for ensuring appropriate evidence is provided. We continue to develop our performance reporting mechanisms and I want to assure you that Staffordshire does not manipulate data to present a more positive picture. You will see that there is an increasing pressure on the SEND system which is being reported nationally. To present a more positive

picture does not aid our requests for additional support and resource. I apologise again and trust that this responds to the issues and complaints you raised as part of the Stage 2 Review.

Service: SEND

A selection of actions implemented by the service:

Work has begun to review the process between Global Mediation and the Family Practitioner Leads by the SEND Manager as this case has highlighted a gap between asking for the Mediation and a timely response. The letter for the 'Not Agreed Decision' has been altered to a more simplified format. Family Practitioner Leads are now being encouraged to ask for cover from a colleague for leave. A new Business Support post to organize agendas and minutes is now in place with a focus upon timeliness of responses.

Service: SEND

A selection of actions implemented by the service:

I again am sorry that you did not feel that you had a resolution to the concerns that you raised in your stage one complaint or that you have not received a response further to your communication. I will speak with the team and reiterate the importance of communication and ensuring that parents are advised of the steps being taken and that the process is transparent. I hope the meeting scheduled is productive in working towards a longer-term solution for XXXX to enable him to engage in education with reduced anxiety and the right support enabling him to meet the outcomes detailed within his plan.

Service: SEND

A selection of actions implemented by the service:

We will be working our team around the moved in and out process for children and young people with EHCP's. We will also be supporting our teams around those children with EHCP's who are also in care to ensure understanding and confidence when working through the process and supporting young people.

As a result of your complaint the Family Practitioner Lead will ensure in future there is no delay in parents receiving the monies for their child's personal budget. This will be achieved by liaising between SEND and the Finance departments once it is agreed. If there is going to be a delay the Family Practitioner Lead will inform parents.

Local Government and Social Care Ombudsman (LGSCO)

The LGSCO has processed 39 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 finding is reported as stated by the LGSCO themselves:

Refusal to Investigate	
Service	LGSCO Findings
Assessment & Staying Together	We cannot investigate this complaint about alleged lies by a social worker in a court case. A legal bar prevents us investigating matters that are not separable from court proceedings.
Assessment & Staying Together	We cannot investigate this complaint about the content of a court report and the Council's actions in creating a conflict of interest that delayed a court case. The matters complained of are not separable from matters that form part of court proceedings.
Assessment & Staying Together	We cannot investigate this complaint about the Council's actions in assessing Mr X and his family as part of child protection work. This is because the complaint does not meet the tests in our Assessment Code on how we decide which complaints to investigate. The matters complained of are not separable from matters that have or could reasonably have been raised during court proceedings.
Assessment & Staying Together	We cannot investigate this complaint about what a social worker has done. A bar in law stops us doing this because the things complained about cannot be separated from things that form part of action in court.
Children in Care & Care Leavers	We will not investigate this complaint about the production and accuracy of a social work assessment. This is because our intervention would achieve nothing significant.
ASSIST	We will not investigate this complaint about an alleged breach of confidence by a council officer. This is because the complaint does not meet the tests in our Assessment Code on how we decide which complaints to investigate. There is no evidence the complainant has been caused a significant personal injustice by the matter complained about. Also, it is unlikely we could add anything to the response the Council has already provided.
Early Help & Support	We will not investigate this complaint about the involvement of the Council's Early Help Team with the complainant and her family. This is because we could not add to the investigation already carried out by the Council. Also, some matters happened too long ago, and some are better dealt with by the Information Commissioner.
SEND	We will not investigate this complaint about the Council's decision not to carry out an assessment of a child's special educational needs. This is because the complainant has used her right of appeal to a tribunal which places the matter outside of our jurisdiction.
SEND	We will not investigate this complaint about delays in the Education Health and Care Plan process. This is because there is not enough evidence of fault by the Council or significant personal injustice to Mrs X. We cannot look at what happens in schools and will not consider complaint handling as a standalone issue.
LADO	We will not investigate this complaint about a safeguarding failure by the Council. There is not enough evidence of fault to warrant

	investigation. We cannot investigate the actions of the school in this case.
Adoption	We cannot investigate this complaint about an adoption assessment. This is because the issues raised will need to be discussed in the court which considers the adoption order. We cannot consider issues that are related to court proceedings.
Premature Complaint	
Service	LGSCO Findings
SEND	Referred to Complaints Team for assessment as a potential complaint.
SEND	Referred to Complaints Team for assessment as a potential complaint.
SEND	Referred to Complaints Team for assessment as a potential complaint.
Children with Disabilities	Referred to Complaints Team for assessment as a potential complaint.
Children in Care & Care Leavers	Referred to Complaints Team for assessment as a potential complaint.
Investigation	
Service	LGSCO Findings
Children in Care & Care Leavers	Remains in investigation process.
Attendance and Inclusion	Remains in investigation process.
SEND	Remains in investigation process.
SEND	Remains in investigation process.
SEND	Remains in investigation process.
SEND – Maladministration and Fault	Mrs X complained the Council failed to properly consider her application for travel assistance for her son, C. Mrs X says that without the travel assistance, C is unable to receive the bespoke educational package in his Education, Health and Care Plan. There is fault in how the Council considered the application and the Council has agreed to reconsider the application and make a payment to remedy the injustice caused to Mrs X and C.
SEND – Maladministration and Fault	There is no evidence of fault in how the Council managed the implementation of provision in a child’s education, health and care plan, nor in matters arising from his move to a new area and school. We have therefore completed our investigation.
SEND/Admissions & Transport – Maladministration and Fault	The Council failed to apply the correct legal test when deciding an application for free home to school transport for a child with an Education, Health and Care Plan. The complainant says this has had an adverse financial impact and caused his son anxiety. The Council

	will review its decision, consider if financial redress is due, apologise and provide a time and trouble payment. The Council will also review whether other families have been similarly affected.
SEND - Maladministration and Fault	The Council avoidably delayed by six months in finalising Mr X's child, Z's, Education Health and Care Plan (EHC Plan). This delayed Mr X's right of appeal to the Special Educational Needs and Disabilities (SEND) Tribunal. The Council also delayed in putting tutoring provision in place for Z which led to Z missing one month of education. The Council has agreed to pay Mr X £500 in recognition of the frustration and uncertainty caused by these faults. We find the Council not at fault in how it produced a draft, amended EHC Plan, nor for allocating several different key workers for Z as this was due to staff absence.
SEND/Admissions & Transport - Maladministration and Fault	The Council failed to apply the correct legal test when deciding an application for free home to school transport for a child with an Education, Health and Care Plan. The complainant says this has had an adverse financial impact and caused his son anxiety. The Council will review its decision, consider if financial redress is due, apologise and provide a time and trouble payment. The Council is already in the process of reviewing whether other families have been similarly affected.
SEND - Maladministration and Fault	Ms X complained the Council delayed reviewing her son's Education Health and Care Plan and did not handle her complaint properly causing distress. We found the Council at fault. We recommended it apologise to Ms X, makes payments for time and trouble, distress and loss of opportunity and, acts to prevent further injustice to others.
SEND - Maladministration and Fault	Ms B complained about the way the Council handled the EHC plan process for her son, X. Ms B said the Council delayed in completing the assessment and EHC plan following the direction of the SEND tribunal. She said that as a result X missed nursery provision and his start at the specialist provision he needs was delayed by a year. She said it had an impact on the whole family. There was fault by the Council which caused injustice. It will apologise and make a payment to Ms B.
SEND - Maladministration and Fault	Ms B complained about delays reviewing her son's education, health and care plan, failure to follow the special educational needs code of practice, failure to provide education to her son, failure to properly consider her request for education other than at school and failure to consider her complaint properly. The Council delayed completing the review of the education, health and care plan, failed to act on Ms B's notification that she no longer wanted to home educate her son, failed to identify a request for a reassessment and failed to consider her complaint properly. There is no fault in how the Council considered the request for education other than at school. An apology, payment to Ms B, introduction of a process for identifying when reviews of education, health and care plans are due and reminder to officers is satisfactory remedy.

SEND – Maladministration and Fault	Mrs X complained about the Council's response to her request for an Education, Health and Care Plan, for her son who has special educational needs. We have found the Council to be at fault because it took too long to carry out an assessment. This caused distress and uncertainty about her son's transition into secondary education. To remedy this injustice, the Council has agreed to apologise, make a payment and confirm the action it has taken to improve its capacity to carry out assessments without delay. We have been unable to investigate some of Mrs X's complaint because she appealed to the Tribunal.
SEND – Maladministration and Fault	The Council ended the special educational provision in B's Education, Health and Care (EHC) Plan before amending the Plan. B appears to have been without education for two terms as a result. Ms M did not appeal the changes, but there was a good reason. B remains out of education and the situation appears deadlocked. The Council has not given cogent reasons for the changes to B's Plan, and has now agree to reinstate the provision and make a symbolic payment to recognise the education B has missed.
SEND – Maladministration and Fault	There was a four-month delay by the Council in issuing a final Education, Health and Care plan after a successful appeal. This caused unnecessary uncertainty, time and trouble and delayed access to special educational provision. The Council will apologise and make a payment to acknowledge the impact of the fault. The complaint is upheld.
Attendance & Inclusion – Maladministration and Fault	Mrs Y complains about the Council not providing any alternative education when her daughter was not well enough to attend school. The Ombudsman's provisional view is we cannot investigate most of the period when Mrs Y's daughter was out of school. This is because Mrs Y had appealed a decision that was linked to the matter under complaint. We find no fault for the period we can consider.
Complaints Team/Children with Disabilities Service – Maladministration and Fault	Ms X complained her son, Y, did not receive the support he was assessed as needing and the Council did not deal with her complaint appropriately. Ms X says this has caused distress to Y, his family and she has been put to time and trouble to complain. The Council was at fault in the way it dealt with this complaint. The Council should now reconsider the complaint and make a payment in recognition of the frustration caused by this fault and the delay.
Complaints Team – Maladministration and Fault	Miss X complained about delays in the Council's investigation of her stage two statutory children's complaint. The Council was at fault for more than eight months delay. It was also at fault for failing to comply with a previous Ombudsman's investigation into the same issue within the agreed timescale. The faults caused Miss X avoidable frustration and distress but also meant the Council delayed in taking action to resolve the substantive issues she complained to it about. To remedy this injustice, the Council will apologise to Miss X and pay her £400. The Council was also at fault for delays in carrying out the stage two investigation into twelve other complainants' statutory children's complaints. This caused them distress and frustration also. To remedy their injustice, the Council will apologise, make payments

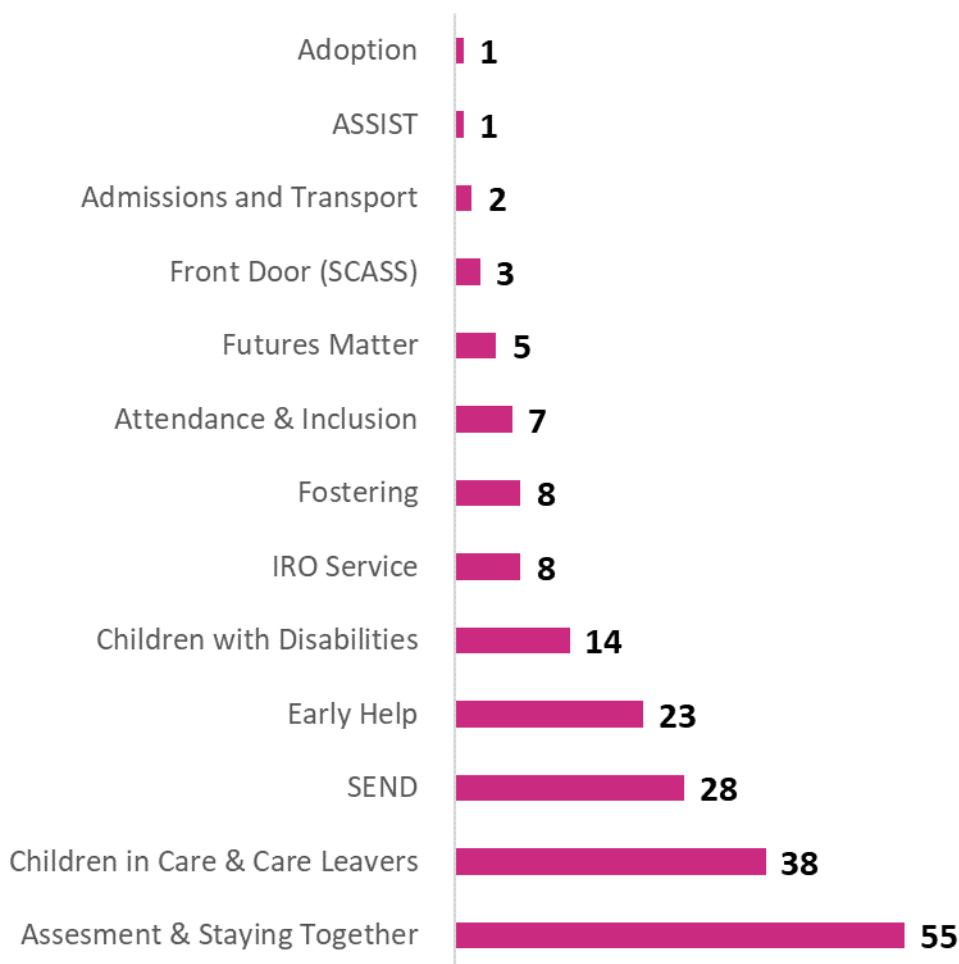
	in recognition of the delay, and complete the stage two investigations within 65 working days of my final decision. To prevent the faults occurring again, the Council will review its practices and carry out staff training.
Enquiry	
Service	LGSCO Findings
SEND	Investigation commenced.
SEND	We will not investigate this complaint about delays in the Council providing alternative provision for Ms X's son when he could not attend school. This is because the Council has agreed to resolve the complaint early by providing a proportionate remedy for the injustice caused.
SEND	We will not investigate this complaint about the Council's decision not to carry out an assessment of a child's special educational needs. This is because the complainant has used her right of appeal to a tribunal which places the matter outside of our jurisdiction.
Attendance and Inclusion	We will not investigate Miss X's complaint about the Council refusing to provide an alternative education as we are unlikely to find fault.
Total	39

From the 39 complaints which the LGSCO have considered, 36% have reached a finding of fault. It should be noted that a number of matters remain pending further detail and as such the above figure is subject to change. 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.

The LGSCO have not considered it necessary to issue any formal public reports this reporting year.

Compliments

The service has received a total of 193 compliments this reporting year. The chart below provides a breakdown of the individual services:



Any compliments which are received are routinely shared with senior management, who will offer their appreciation and congratulatory messages to the practitioner and service.

It is not possible to provide a list of all the compliments which have been received this reporting year, a small selection are provided below:

Early Help Resourcing and Family Support:

- I wanted to share feedback from parent, being supported by us. We are approaching the end of intervention, which started within the social work team Mum has said "you've made a real difference to the way we live"
- We both found her approachable, and friendly, yet professional and able to prioritise the best course of action for the whole family. Just the fact that she acknowledged the other pressures affecting each member of our family was refreshing. Her positive, caring attitude shone through, and her friendly approach and understanding was just what was needed. She then checked how we all were this morning and has arranged to see X again tomorrow. She is a credit to your service, and in the short time we have known her, she has positively influenced our experience of The Early Help Team.

- I just wanted to highlight a piece of excellent practice within the Family practitioner Service. They have completed a Safe and Well check as part of our emergency arrangements for the Homes for Ukraine scheme. This whole process been very much a work in progress and we appreciate these visits have been requested from the already stretched FPS teams. South Staffs have completed this quickly and efficiently and have followed the process to the letter. his example is written (and was clearly undertaken) in a very restorative way, The family would not have felt like this was a tickbox exercise, as it was clear that she was genuinely interested in their circumstances and journey. These families have been through so much, and this visit was undertaken respectfully and within the ethos of the scheme and ultimately the way we want to be practising in Staffordshire. I was really moved reading the visit and feel you have captured the voices of the children and Mum perfectly.

Childrens Disability Service:

- Just wanted to let you both know some positive feedback I received from trial counsel. He said the social work team have done a first-class job and that you both gave evidence extremely well.
- Thank you so much for such in depth brilliant assessments. No doubt this will help us endlessly! Thanks for all of your work and support to our family! Hope you're well and will speak soon hopefully when things are moving :)
- Just done a review of some adaptations that were completed for XXX, Mum reports what a difference they have made and how much more independent XXX now is, Mum wanted me to tell you how much she appreciated it.

Assessment & Staying Together:

- I write to let you know that the judge was very complimentary about the input from Social Worker and said that she had found her reports to be comprehensive, informative, and extremely helpful in informing the Court's decision making, which was entirely in line with the LA recommendations. It was also clear that the mother, whom I represented, has a very good relationship with Social Worker which has no doubt been of much assistance to XXX in turning things around so that the child is thriving in her care.
- That online option is now ready for him, his Mum's engaged with the process and is talking to him about it on Monday. That's a massive win and says something about how you've stuck with it and gained his trust.
- I want to give praise to Social Worker for her professionalism when coordinating and chairing the meetings I have been asked to contribute to. She communicates effectively with families and partnership agencies alike. It really comes over how passionate she is about empowering and supporting families who require help from Children's Services. All meetings are structured and time managed extremely well and she ensures that everyone knows that their input, opinions, feelings and feedback is valued. Away from meetings and joint visits she makes regular contact to keep up to speed with any developments that may affect the family. Page 72

can achieve positive outcomes for the families and she ensures that all support needs are considered, and appropriate options for support are explored. It has been a real pleasure working on this case due to her drive and enthusiasm and her persistence in improving the families wellbeing.

- You are doing a fab job in a difficult situation. Just wanted to say thank you for your hard work 😊
- The hard work of all involved professionals has also been captured in the Conference minutes in terms of Parents Response to a unanimous decision that threshold was no longer met for a Child Protection plan and to step down to Child in Need – “that is so good to hear as we have been working hard for a year now and not stopped. We have done everything everyone has asked and beyond. It is nice to hear that it will end soon, and we can get on with our lives. I want to say a bit thank you to everyone who has helped us.

Children in Care & Care Leavers:

- I know I have contacted you in the past to pass on praise for your amazing team - but I again feel that they deserve praise for the amazing work they are doing with our UASC young people. I personally work very closely with the UASC Team and communicate with them daily - I always feel confident in knowing that these workers will always go above and beyond to get the best result and outcomes. They are an absolute pleasure to work with and make my role even more enjoyable. The young people I work with speak of them so highly and always remark on their enthusiasm and positive attitude. They are a true credit to Staffordshire Local Authority.
- One of the PA's young people invited her to a mother's day event at college, they had afternoon tea and the PA had her hair done at the college salon. The young person gave the PA a lovely letter. She is an excellent PA, she really does care about all her young people and goes above and beyond to support them.
- I just wanted to make you aware of a compliment that PA has received from one of his young people who recently closed as he is 23 and no longer needs a PA service...Sent a text saying '*Thank you for all your support. You saved my life*'.

Fostering Service:

- They were very complimentary both re the worker, but also the service as a whole they said they were impressed and appreciative of all the help and support that they have been given and would like it pass it on to all the professionals that they really appreciate all the work that they do.

Early Help Resourcing SEND Education:

- Can I just say XXX, XXX'S new case worker has been fantastic, and I feel since she has been on the case we have finally got somewhere! She is so kind and always happy to help, she is a credit to your team!

- XXX was on 'top form' giving us all instructions so that made our introduction to XXX very easy, as quickly, XXX recognised how she communicates and what she likes and how to engage with her! XXX begins her first session tomorrow at 10am (carers present of course). XXX is absolutely the most perfect selection. She understands XXX and has a wealth of experience of working with young people like XXX.

Admissions:

- I just wanted to pass my thanks on to you and your team - from start to finish you have all been so helpful, calming and reassuring. I have never been in this position before, and with 4 children you would think I would have clocked this mishap earlier, or maybe it's because I have 4 that I didn't !. Once again thank you.

Strategic Safeguarding:

- A heartfelt and sincere THANK YOU to you and all your teams who have helped put some very bad men away.

Futures Matters:

- Well done everyone as you have all had a part to play in supporting the family but equally the family have also embraced our work and have worked with all professionals to enable the boys to return to their mums care.

Independent Review Officers:

- Thank you so much for your informative email - very useful. Can't believe XXX is now 18! Thank you so much for being there as a family. You have been a constant support and so professional and committed to ensuring things are done and without your life would without doubt, have been far more challenging. We do very much appreciate everything, and you will be so missed.

Attendance and Inclusion:

- Amazing! That's great news.... She gets married on Saturday and she's had to buy a new dress today, busy and stressed lady! Thank you so much for your patience and hard work to push it through for me.

Commissioning:

- XXX has literally put in blood, sweat and tears! The reactions of our most vulnerable when they have received the slow cookers this week has been extremely heart-warming and hearing the difference they think they will make. The project has made a real impact so again thank you for all your efforts.

Annual Report Analysis and Commentary:

The data contained within this report shows that there has been a significant increase in complaints investigated and matters which have been recorded within the duty category. This increase in complaints investigated mainly relates to the SEND Service, who recorded a total of 85 complaints in 2021/22 and this reporting year record a total of 180 complaints which is a 112% increase.

The outcomes of the complaints which have been investigated differ significantly to those of the previous reporting year, showing that more complaints are being found upheld, with less concluding as not upheld.

	2021/22	2022/23
Upheld	20%	28%
Not Upheld	38%	29%
Partially Upheld	41%	25%

The timescales for responding to complaints within the prescribed timescale have dropped slightly from the previous reporting year. It is fully understood that with such an increase in complaints being received that services may be unable to complete an investigation within a prescribed timescale, however it would be pleasing to see if this figure (57%) could be improved upon in the next reporting year.

The LGSCO continue to investigate a high number of SEND complaints. When accessing the LGSCO website, this does appear to be a theme nationally and Staffordshire are not the only Local Authority who are experiencing an increased volume of investigations. The SEND Service have been welcoming of the recommendations which the Ombudsman set and it is a positive to note that the service were already achieving some of the recommendations before they had been set, as part of their own service development work.

The Complaints Team would ask that it be noted the amount of resource which is taken up within our own team through assessing complaints and processing them. The significant increase in numbers does affect capacity as each piece of feedback received needs to complete a screening assessment to determine the most appropriate route for it to follow. The fact that complaints have increased by 67% and duty matters by 47% would impact the Complaints Team as well as those services responsible.

We continue to work well with the services who have now been settled within the new district footprint for over 12 months, our aim is to build upon the professional links which have been made and to develop these further through an increased level of reporting and deepening our understanding what data and information might help with ongoing service improvements.

Staff are thanked for their cooperation in respect of all complaints communications this reporting year. It is always acknowledged and appreciated that investigating complaints or providing responses to the LGSCO is a high-level task which will inevitably impact an individual's workload. 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.

Compliments for the Local Authority have 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.

Report Author: Elaine Hemming, Complaints Officer – Children and Families Services.

WORK PROGRAMME

Safeguarding Overview and Scrutiny Committee – 2023/2024

This document sets out the work programme for the Safeguarding Overview and Scrutiny Committee for 2023/2024.

The Safeguarding Overview and Scrutiny 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 Bob Spencer

Chairman of the Safeguarding Overview and Scrutiny Committee

If you would like to know more about our Work Programme or how to raise issues for potential inclusion on a Work Programme, then please contact Helen Phillips, Scrutiny and Support Officer (helen.phillips@staffordshire.gov.uk)

Work Programme 2023/2024

Date of Meeting	Item	Details (Background)	Action / Outcome
15 June 2023 10.00am	'Living my Best Life': Report on the Joint Strategy for Disabled and Neurodivergent people in Staffordshire 2023-2028 Cabinet Member: Julia Jessel Lead Officer: Andy Marriot & Nicola Day	Pre-decision scrutiny – postponed from last municipal year	The Committee supported the Strategy and look forward to seeing the action plan that will give more detail on how the vision and strategy will be implemented and how success will be measured.
	Safeguarding Overview & Scrutiny Cabinet Members: Julia Jessel, Mark Sutton, Jonathan Price, Victoria Wilson Lead Officers: Richard Harling, Neelam Bardwaja, Catherine Mann	Cabinet Members and Lead Officers highlight topics within their portfolio to support the Committee's work programme planning	Due to time restraints the Committee deferred hearing from the Cabinet Member for Communities & Culture. An extra informal meeting has been arranged for 10 July where this detail will be covered. Members will then use the combined information from 15 June and 10 July meetings to inform their work programme planning.
	Work programme Planning Lead Officer: Helen Phillips	Within the remit of the Overview & Scrutiny Committee, begin planning the work programme for 2023-24.	
27 July 2023 10.00 am	Customer Feedback & Complaints Annual report – Children's Social Care Cabinet Member: Mark Sutton	Report brought annually	.

Work Programme 2023/2024

Date of Meeting	Item	Details (Background)	Action / Outcome
Page 79	Lead Officer: Kate Bullivant		
	Customer Feedback & Complaints Annual report – Adults Social Care Cabinet Member: Julia Jessel Lead Officer: Kate Bullivant	Report brought annually	
	PSHE Coordinator impact after first 12 months Cabinet Member: Jonathan Price Lead Officer: Phil Pusey	The Inquiry Day report into Sexual Harassment in Schools asked that the O&S Committee consider the impact of the new PFCC funded PSHE Coordinator role after its first 12 months.	
14 September 2023 10.00 am			
23 Nov 2023 10.00 am			
4 January 2024 10.00am	Staffordshire and Stoke-on-Trent Adult	Report brought annually.	

Work Programme 2023/2024

Date of Meeting	Item	Details (Background)	Action / Outcome
	Safeguarding Partnership Board (SSASPB) – Annual Report Independent Chair: John Wood Lead Officer: Helen Jones		
	Staffordshire Safeguarding Children's Board Annual Report Independent Chair: Ian Vinall Lead Officer: Lynn Milligan	Report brought annually	
15 Feb 2024 10.00 am			
18 April 2024 10.00 am			
tbc	Ofsted Focused Visit – improvement action plan Cabinet Member – Mark Sutton Lead Officer – Nisha Gupta	Considered at 1 September 2022 O&S meeting – agreed to review progress with implementation of action plan.	
tbc	Hearing the voice of the child Cabinet Member – Mark Sutton	16 February meeting Members requested a better understanding of how the voice of the child is heard – particularly with respect to early	

Work Programme 2023/2024

Date of Meeting	Item	Details (Background)	Action / Outcome
	Lead Officer – Neelam Bhardwaja	identification of emerging online threats and challenges.	
tbc	Safeguarding Assessment Cabinet Member: Julia Jessel Lead Officer: Ruth Martin	Suggested at the 7 December Triangulation	

Items for Consideration – Work Programme 2023/2024

Suggested Item	Details (Background)	Proposed Date of Meeting

Standing Items 2022/2023

Item	Details (Background)	Action / Outcome
Crime & Disorder Cabinet Member: Victoria Wilson Lead Officer: Catherine Mann/Trish Caldwell	This O&S Committee is the LAS designated Crime and Disorder Panel. Following discussions with the Chairman and Officers from the PFCC and the Cabinet Member and Officers responsible for community safety, it was agreed that the Chairman and Vice Chairmen will meet with the Cabinet Member and Officers after each Safer and Stronger Communities Strategy Group (SSCSG) to gain an overview of community safety within the County and identify areas for further scrutiny as appropriate.	Chairman and Vice-Chairman briefings on: <ul style="list-style-type: none">

Standing Items 2022/2023

Item	Details (Background)	Action / Outcome
Children Improvement Board (CIB) Cabinet Member: Mark Sutton Lead Officer: Neelam Bhardwaja	The Chairman attends the CIB on behalf of the O&S Committee and feeds back developments to Members at each meeting as part of the work programme agenda item. CIB scheduled dates: 26.04.23, 23.05.23, 28.06.23, 25.07.23, 27.09.23, 24.10.23, 28.11.23, 20.12.23	
Themes emerging from Serious Case Reviews Cabinet Member: Mark Sutton Lead Officer: Neelam Bhardwaja	Where Serious Case Reviews have taken place the Overview & Scrutiny Committee will consider any learning that can be taken from the Review	Some areas picked up by the DHR review process

Briefing Notes / Updates / Visits 2023/2024

Date	Item	Details (Background)	Action / Outcome

Working Groups / Inquiry Days 2023/2024

Date	Item	Details (Background)	Action / Outcome

Membership – County Councillors 2022-2023	Calendar of Committee Meetings - 2023-2024
Bob Spencer (Chairman) Gill Burnett (Vice Chairman - Overview) Paul Snape (Vice Chairman – Scrutiny) Ann Edgeller Janet Eagland Johnny McMahon Gillian Pardesi Kath Perry Mike Wilcox Conor Wileman	15 June 2023 at 10.00 am
	27 July 2023 at 10.00 am
	14 September 2023 at 10.00 am
	23 November 2023 at 10.00 am
	4 January 2024 at 10.00 am
	15 February 2024 at 10.00 am
	18 April 2024 at 10.00 am
	Meetings usually take place in the Oak rm, County Buildings

