

# Delivering the Difference Together



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CUSTOMER FEEDBACK AND COMPLAINTS TEAM  
STATUTORY ANNUAL REPORT 2017-2018  
CHILDREN AND FAMILIES SERVICES

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## 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 2017 to 31 March 2018. The report and service is provided in accordance with the Complaints and Representations Procedures established under the Children Act 1989 and the Local Authority Act 1970.

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

## The Statutory Complaints Procedure

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

There are three stages to the Statutory Complaints Procedure:

### Stage 1 - Local Resolution

Stage 1 Statutory Complaints are investigated and responded to by a Team Manager or a County Manager, depending on what the complaint concerns. In accordance with the guidance the expectation is that the majority of complaints should be resolved at this stage. The Customer Feedback and Complaints Team place emphasis on resolving complaints at this stage, as local resolution allows the Team Manager to provide the most thorough and detailed response to a complaint, with it being their service. Effective handling at Stage 1 can prevent the complainant escalating to further levels of the procedure, or in the event that further investigation was requested a robust Stage 1 response can support a decision to decline some requests, or support any decisions challenged by the Local Government Ombudsman. There is a timescale to respond to Stage 1 complaints, of up to 20 working days.

### Stage 2 – Independent Investigation

If a complainant remains dissatisfied with the outcome following Stage 1 of the procedure, they have a right to request a Stage 2 Independent Complaint Investigation. Stage 2 investigations are carried out by external Investigating Officers. An Independent Person is appointed for all Stage 2 complaint investigations as required by the regulations.

At the conclusion of an investigation, a report is produced with findings, conclusions and recommendations. The relevant Strategic Lead acts as the Adjudicating Officer on behalf of the Local Authority and provides the Local Authority's formal response to the complainant along with an action plan to implement the recommendations. The timescale for completion of a Stage 2 investigation is up to 25 working days, although this can be extended to 65 working days with the complainant's agreement.

### Stage 3 – Complaint Review Panel

Where a complainant remains unhappy with the outcome of the Stage 2 investigation they may request a Complaints Review Panel. The Panel is made up of 3 independent people and is clerked by the Local Authority Legal Services. The timescale for setting up the panel is 30 working days.

The Panel's remit is to review the investigation; it cannot re-investigate a complaint. The Panel provide their findings in writing within 5 working days to the complainant and the Local Authority. The Local Authority will consider the panel's findings and produce the Local Authority's response to the Panel's findings within 15 working days.

## Local Government Ombudsman (LGO)

In the event that a complainant remains dissatisfied following exhaustion of all three stages of the complaints procedure they can take their complaint to the LGO. A complainant can access the LGO at any point but the LGO 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 LGO.

## Criteria for Accessing the Statutory Complaints Procedure

### Who can complain?

The Children Act 1989 advises that the Statutory Complaints Procedure can only be utilised by the following persons:

- Any child or young person (or a parent of his or someone who has Parental Responsibility for him) who is being looked after by the Local Authority or is not looked after by them but is in need;
- Any Local Authority foster carer (including placements through independent fostering agencies);
- Children leaving care;
- Special guardians;
- A child or young person (or parent of his) to whom a Special Guardianship order is in force;
- Any person who has applied for an assessment under section 14F(3) or (4);
- Any child or young person who may be adopted, their parents and guardians;
- Persons wishing to adopt a child;
- Any other person for whom arrangements for the provision of adoption services extend;
- Adopted persons, their parents, natural parents and former guardians; such other person as the Local Authority consider has sufficient interest in the child or young persons' welfare to warrant his representations being considered by them.

### Time Limit:

In addition to the above, there is a time limit on making a complaint to the Local Authority. Regulation 9 (1) states that 'a complainant must make their representations to the Local Authority no later than one year after the grounds to make the complaint arose'. However, the Local Authority may consider complaints outside the specified time limit if it would not be reasonable to expect the complainant to have made the complaint within the time limit and that it is still possible to consider the complaint effectively and fairly. Matters such as these would be considered on a case by case basis.

### Re-occurring Issues:

Complaints will not be accepted if they are the same or substantially the same as complaints that have already been investigated and responded to previously.

### Complaints Made on Behalf of a Child:

The Local Authority has the discretion to decide whether or not the representative is suitable to make a complaint on behalf of a child or young person. The Complaints Team will confirm with the service user that the complaints raised accurately reflect their views. This is subject to the child's age and understanding and is a matter which is given careful consideration on a case by case basis.

### Complaints Relating to a Child:

A number of complaints received are from adults that relate to a child or young person but are not made on that child's behalf. The Children Act 1989 gives the Local Authority discretion to decide in cases where eligibility is not automatic and whether or not an individual has sufficient interest in the child's welfare to justify his own complaints being considered.

In order to establish 'sufficient interest' the Complaints Team will review the Social Work records and liaise with the Social Work Team to ascertain the following:

- Is the complainant party to any Court proceedings?
- Does the complainant attend Child Protection Conferences, Family Group Conferences or Core Groups?
- Is there evidence on the case file of frequent communication between the complainant and the Social Worker?
- Is there evidence on the case file that information regarding the plans for the child or young person is shared with the complainant?
- Has the complainant, at any time, had care of the child or young person?
- Have the issues that are being complained about matters that have directly involved or been relayed to the complainant or are they issues that have been passed to the complainant by another party?

Once the above has been taken into account, the Complaints Team will then make an informed decision as to the sufficient interest of 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.

### Stage 1: Local Resolution

The first stage of the process is when a senior member of staff or manager of the service being complained about, is given the opportunity to investigate and respond to the complaint. The timescale for a response is 15 working days.

The complainant is advised in the response letter that they can request a review of the complaint on the basis that they can provide the Council with additional relevant information that was not considered as part of the investigation.

### Stage 2: Internal Review

On receipt of a request for further consideration of the complaint, the Complaints Team will screen the request to ascertain if the complainant has provided sufficient evidence to support a further review. If the request is accepted, the Internal Review will be allocated to a Senior Manager for investigation and response. The timescale for a review is 25 working days.

If the screening process identifies that no evidence has been provided by the complainant to support the carrying out of further investigation, the Complaints Team will inform the complainant of this decision. The complainant will be advised why this decision has been made and that they can refer their concerns to the Local Government Ombudsman.

### Stage 2: Independent Review

Depending on the complexity and severity of the complaint, it may be necessary for the Complaints Team to appoint an Independent Investigating Officer to investigate a complaint and then report on their findings. The findings are then summarised in a review response by a designated senior member of staff within the service area.

### Local Government Ombudsman (LGO)

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

## Total Feedback Received

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



## Screening System

In order to ensure that either Complaints Procedure is used correctly, a detailed screening process is applied to all feedback which is received. This process allows the Complaints Team to gain essential background information on the case and consider information submitted by the complainant together with the criteria previously detailed and any legal implications before making a final decision for sign off, as to how the feedback can be dealt with.

If, following completion of the screening process it is found that a representation is not eligible to enter the Statutory or Corporate Feedback Complaints Procedure then the complainant must be informed and provided with the reason why this decision has been made. If the Complaints Team takes the decision to refuse to investigate, the complainant is routinely directed to the Local Government Ombudsman which places great importance on the decision-making process by the Complaints Team.

In addition to the above, there may be occasion when an individual approaches the Complaints Team with issues that fall outside of the jurisdiction of the Complaints Procedure. When this arises, the Team provide advice and assistance to ensure the individual is appropriately signposted.

## Duty Matters

The below table shows a comparison against the data held for the previous reporting year which is categorised as being a duty matter.

Year	Number of Duty Matters
2015 – 2016	203
2016 – 2017	210
2017 - 2018	208

The following chart provides a breakdown of how these duty matters have been categorised. Specific detail with regards to duty issues is provided to County Managers on a monthly basis and to Strategic Leads on a monthly and quarterly basis.



The data above shows that duty matters account for a large proportion of the work undertaken by the Complaints Team, following a similar trend to the previous reporting year. 30% of the total feedback received falls into the duty category and there is a 13% increase between duty matters and the total amount of complaints processed.

Although duty issues are not facilitated through either formal complaint procedure; it should be noted that this aspect of work accounts for a high proportion of staff time within the Complaints Team. It is important that duty issues are not overlooked simply because they are not recorded as a formal complaint. Recording a matter through the duty system requires evidence-based decisions which are made through liaising with local level management and accessing information held on file to determine that further investigation cannot be facilitated. Once a decision of this nature is made, complainants are advised to approach the Local Government Ombudsman leaving the decision open to scrutiny.

It is therefore vitally important that the Complaints Team maintain the strong links with local level management, to validate any information which is being relied upon and to ensure a consistent message is given to the complainant from all avenues.

The facilitation of a duty issue regularly requires more communication between the Complaints Team and the service areas within the Local Authority, as there is no set process to follow as there would be for a formal complaint. It is therefore duty work which raises the awareness of the work undertaken by the Complaints Team and this allows for relationships with staff to continually be strengthened. It is pleasing to note this reporting year that staff feel confident and able to approach the Complaints Team in respect of any queries or requests for support during the formal process of an investigation.

## Statutory Stage 1 Investigations

The Complaints Team believe that providing a robust response at Stage 1 of the procedure, this can prevent the complaint progressing to Stage 2 or can support the Local Authority's decision if the matter was referred to the Local Government Ombudsman.

The Complaints Team have assessed how it can support both the complainant and the responding officer during Stage 1 and has built in the following steps into the process:

- Specific complaints are defined by the Complaints Team from the information submitted by the complainant. This is to ensure that the scope of the investigation is clear from the beginning. It also serves to ensure that each complaint is considered separately and for a clear outcome to be determined and is also in line with how the Local Government Ombudsman investigates.
- The complainant is advised in an acknowledgement letter from the Complaints Team, to make contact if they feel their complaints have been defined incorrectly. This provides assurance that the complainant is happy with the complaints being investigated and prevents any challenge on the defined complaints once the investigation has concluded.
- A pre-populated Stage 1 response letter template is created in order to provide a framework for the responding officer to use when dealing with complaints. This is to promote consistency in responding to the complaints and to ensure that the response letter clearly lays out the investigation findings in relation to each defined complaint. The standard paragraphs within the template contain information which must be provided to the complainant in order to comply with our statutory obligations.
- This reporting year the Complaints Team have made it mandatory for responding officers to submit their draft responses to the Team for statutory investigations for a quality assurance check to be carried out.

The Complaints Team processed a total of 54 complaints through the Statutory Complaints Procedure at Stage 1. The chart below provides a breakdown by quarter together with a comparison for previous years.

Reporting Period	Q1	Q2	Q3	Q4	TOTAL
2015/16	15	11	31	14	70
2016/17	40	23	15	13	91
2017/18	5	14	16	19	54

The data above reports a 40% decrease in Stage 1 Statutory Complaints in comparison with the preceding year. Quarter 1 accounts for only 10% of those complaints, whereas figures steadily increase across the remaining quarters.



It is always difficult to provide future forecasts of complaints, as the data above shows that figures fluctuate on a quarterly and a yearly basis. It should be stressed that the volume of complaints taken on its own, is not indicative of the quality of services being provided by the Local Authority. The findings following investigation and whether the complainant has progressed the matter any further provide a more useful measure of performance and more importantly provide useful learning for the Local Authority moving forwards to shape future service provision.

## Breakdown

The following tables provide a further breakdown into operational leadership, of the 54 complaints investigated at Stage 1 of the Statutory Complaints Procedure.

<b>Specialist Safeguarding, Targeted Services and Youth Offending Service</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>TOTAL</b>
Specialist Safeguarding Units	3	8	8	8	<b>27</b>
First Response Team	-	-	1	-	<b>1</b>
<b>TOTAL</b>	<b>3</b>	<b>8</b>	<b>9</b>	<b>8</b>	<b>28</b>
<b>Looked after Children and Disability Services</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>TOTAL</b>
Care Planning and Court Teams	-	1	1	2	<b>4</b>
Disability Services	1	4	2	6	<b>13</b>
Throughcare Teams	1	-	-	1	<b>2</b>
Adoption Service	-	-	3	-	<b>3</b>
Fostering Service	-	1	-	1	<b>2</b>
<b>TOTAL</b>	<b>2</b>	<b>6</b>	<b>6</b>	<b>10</b>	<b>24</b>
<b>Partnership and Development</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>TOTAL</b>
Independent Reviewing Officer	-	-	1	1	<b>2</b>
<b>TOTAL</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>2</b>

## Nature of Stage 1 Statutory Complaints

The table below shows the nature of complaints dealt with under Stage 1 of the Statutory Complaints Procedure during 2017/18, broken down by service areas and detailing a percentage format specific to each service area:

Nature of Complaint	Percentage
<b>Specialist Safeguarding, Targeted Services and Youth Offending Services</b>	
Case Management	82%
Staff Conduct	12%
Standard of Service	3%
Inaccurate Information Provided	3%
<b>TOTAL</b>	<b>100%</b>
<b>Looked after Children and Disability Services</b>	
Case Management	75%
Eligibility	12%
Staff Conduct	5%
Access to Service	8%
<b>TOTAL</b>	<b>100%</b>
<b>Partnership and Development</b>	
Staff Conduct	50%
Case Management	50%
<b>TOTAL</b>	<b>100%</b>

The figures above show the main theme for nature of complaint to be case management, which is a trend found within each report. It should be noted that complaints are defined from verbal or written communication and on the majority of occasions a complainant raises a multitude of concerns which they wish to be further investigated. The nature is therefore recorded as a general term for the set of complaints and as such, case management can encompass a wide range of concerns.

It has previously been acknowledged by the Complaints Team, that the nature of complaint can be seen as being generic in terms of service improvement. Following feedback from management, this reporting year the Complaints Team have provided an additional document to Strategic Leads along with the quarterly reports. These documents provide detail of any defined complaints which have been found to be upheld or partially upheld. Feedback in terms of this document has been positive; management are able to discuss these documents with their staff and consider any trends or learning from these complaints through different perspectives.

## Outcomes of Stage 1 Statutory Complaints

The table below illustrates the outcome of complaints dealt with under Stage 1 of the Statutory Complaints Procedure during 2017/18, including a comparison for preceding years. It should be noted that 2% of complaints remain outstanding at the time this report has been prepared:

Reporting Period	Upheld	Partially Upheld	Not Upheld	Complainant not Engaging	Closed: Sensitive Matter	Complaint Withdrawn
2015/16	10%	63%	18%	2%	-	7%
2016/17	4%	55%	34%	3%	-	4%
2017/18	22%	39%	37%	-	-	-

The figures above report that despite there being a 40% decrease in Stage 1 Statutory Complaints in comparison to previous reporting years; there is a significant increase in complaints being found to be wholly upheld. Stage 1 of the Statutory Complaints Procedure is referred to as local resolution, meaning the Team Manager of the service concerned would usually investigate and respond to the complaint. It should therefore be commended that Team Managers are able to identify and accept fault within their respective teams and recognise any areas requiring improvement.

The developments taken in respect of further detailed reporting to Strategic Leads on complaints found to be upheld or partially upheld, will be vitally important to ensure that learning can be identified from these complaints.

### Timescales for Responding to Stage 1 Statutory Complaints

The following chart shows a comparison of the response timescales for Stage 1 Statutory Complaints for 2017/18 against previous reporting years.

Reporting Period	Within Timescale	Over Timescale	Complainant not Engaging	Closed: Sensitive Matter	Complaint Withdrawn
2015/16	58%	35%	2%	-	5%
2016/17	57%	36%	3%	-	4%
2017/18	45%	53%	-	-	-

The above figures show that 45% of complaints have been responded to within the prescribed timescales, supporting the services commitment to meet these targets together with the ongoing pressures of the day to day work they are faced with.

Whilst it is preferable for timescales to be adhered to, in some cases it is simply not possible. There are a number of factors which can impact the response falling outside of timescales and these will sometimes fall outside the control of the officer allocated to investigate the complaints. When instances of this nature do occur, the advice provided by the Complaints Team is that the responding officer makes further contact with the complainant to explain the reasoning for any delay and agree a new timeframe for completion. The Complaints Team are of the view that a thorough and robust response is imperative at Stage 1 and as such an extension to ensure this is provided, is acceptable.

Any instances of exceeding timescales are closely monitored and shared with County and Strategic Level management on a monthly and quarterly basis.

## Remedies for Stage 1 Statutory Complaints

An explanation is the main remedy recorded for Stage 1 Statutory Complaints; with this accounting for 93% of responses. This is a recurring theme each reporting year. On many occasions a complainant may be unsure about why certain decisions have been made or be uncertain about the role and remit of a team; a written response providing an explanation will usually suffice in providing the complainant with that information.

## Stage 2 Statutory Independent Investigations

Whilst every effort is made to ensure a comprehensive and detailed response at Stage 1 of the Statutory Complaints Procedure, complainants do have the option to progress to a Stage 2 Independent Investigation.

The process at Stage 2 of the Statutory Complaints Procedure can be lengthy and as such the Complaints Team will, following assessment, discuss any requests with the relevant management to determine if there is a resolution which could be agreed upon without the need to invoke the Stage 2 process. Instances of this nature require careful liaison with the complainant to ascertain if they are in agreement with that course of action or whether they still wish to proceed with the Stage 2 Independent Investigation.

The below table shows the number of Stage 2 Investigations commissioned this reporting year, with a comparison for previous years:

Reporting Period	Number of Stage 2 Independent Investigations
2015/16	11
2016/17	9
2017/18	5

The figures above show a decrease in the amount of Stage 2 Independent Investigations upon comparison. The reader is reminded however that there is a decrease this reporting year in Statutory Stage 1 Complaints. The below table provides a comparison for the preceding year of complaints progressing to a Stage 2 Independent Investigation.

Reporting Period	Number of Stage 1 Statutory Complaints	Number of Stage 2 Independent Investigations	Percentage of Stage 1 Complaints Progressing to Stage 2 Investigation
2015/16	70	11	16%
2016/17	91	9	10%
2017/18	54	5	9%

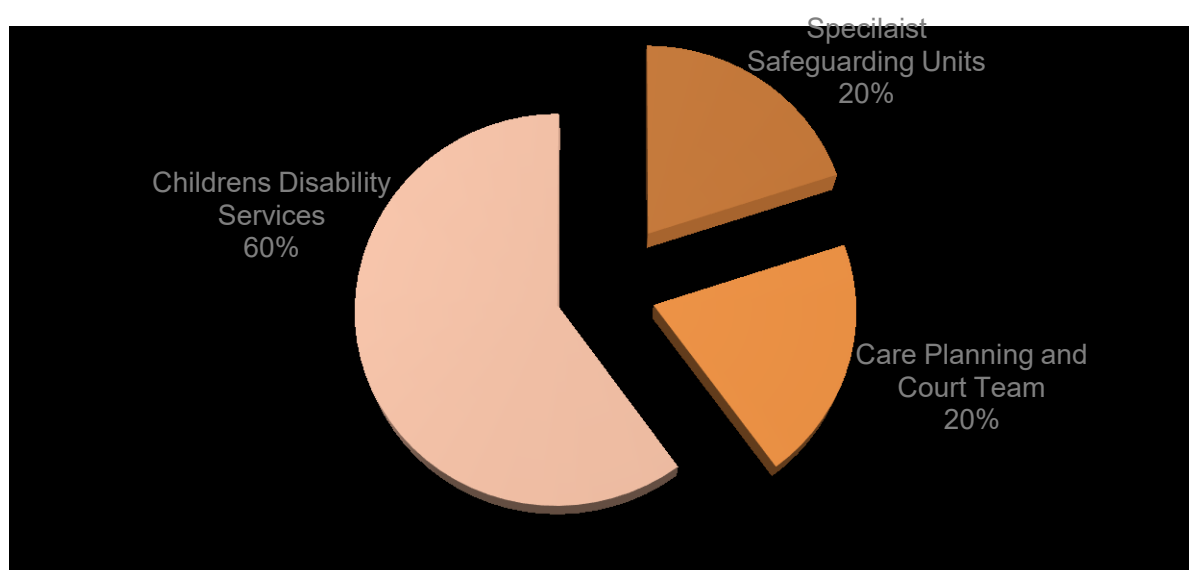
This data shows despite the decrease in Statutory Stage 1 Complaints, there is only a very slight decrease in complainants wishing to progress to a Stage 2 Independent Investigation when looked at in comparison to 2016/17. The Complaints Team would stress that the reasons behind the decision to progress to the next stage of the process varies between each complainant and it should not necessarily be assumed that it is due to a poor response at Stage 1. It is routinely communicated to staff the need for a thorough and robust response at Stage 1, as even if the matter should progress to the next stage, a comprehensive response at Stage 1 will support the stance of the service area and the detail will undoubtedly assist with the investigation at Stage 2.

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

Service	Number of Stage 2 Independent Investigations
Looked after Children and Disability Services	4
Specialist Safeguarding, Targeted Services and Youth Offending Services*	1

\*The investigation for Specialist Safeguarding remains ongoing.

The chart below provides a further breakdown into teams:



## Findings from Stage 2 Independent Investigations

Investigations carried out at Stage 2 of the Statutory Complaints Procedure usually contain a number of defined complaints, which the Independent Investigating Officer will make a finding on following their investigation. The number of complaints within each investigation will depend on the complainant and would be informed from the initial interview.

From the 5 Stage 2 Independent Investigations commissioned during 2017/18, there were 55 individual complaints contained within. The table below provides data in terms of the findings of those 55 complaints.

Findings	Figure	Percentage
Upheld	19	34%
Not Upheld	24	44%
Partially Upheld	6	11%
No Finding	6	11%

The above data shows that the majority of complaints are not found to be wholly upheld. The Local Authority place great significance on learning from complaints and staff are encouraged to reflect upon any identified learning in order that necessary lessons can be understood and acted upon. Where an investigation suggests recommendations, which are subsequently accepted by the Local Authority, robust action plans are closely monitored to ensure completion and learning is then disseminated in several ways.

## Recommendations from Stage 2 Investigations

The tables below offer a small selection of some of the complaints that escalated to Stage 2 and the actions which the services have taken to complete the recommendations made by the Investigating Officer. It is usual that these recommendations are shared as part of the Senior Managers Blog, which is a communication disseminated to all practitioners within the service to ensure that any identified learning is shared as widely and effectively as possible. Any developmental matters will form part of the respective services management and development meetings. Senior managers are also advised to discuss these recommendations during team meetings and individual staff supervisions.

It should be noted that the one Stage 2 relating to the Specialist Safeguarding Service, remains ongoing and as such recommendations cannot be reported on.

<b>Service : Looked after Children and Disability Services</b>
Action taken by the service following recommendations:
<ul style="list-style-type: none"> <li>• Staff have been reminded of the need to record significant communications, events and decisions in the file records to ensure that there is an effective audit trail.</li> </ul>
<ul style="list-style-type: none"> <li>• New contact facilities have been commissioned which have improved the suitability and availability of resources to accommodate supervised contact requirements.</li> </ul>
<ul style="list-style-type: none"> <li>• The commissioning and sign off arrangements for work undertaken shall be revisited to ensure they meet the needs of Childrens Services.</li> </ul>

## Stage 3 Complaint Review Panels

The below table provides an overview of any Stage 3 Complaints Review Panels which were held in 2017/18 and the respective services involved:

<b>Service</b>	<b>Number of Stage 3 Complaints Review Panels</b>
Looked after Children and Disability Services	2
Specialist Safeguarding, Targeted Services and Youth Offending Services	1
<b>TOTAL</b>	<b>3</b>

It should be noted that one of the cases which progressed to a Stage 3 Complaints Review Panel was in relation to a complaint which was initially made in 2016/17; however, the request to progress to the third stage of the Statutory Complaints Procedure was not received until the 2017/18 reporting year. It should therefore not be assumed that all three complaints which progressed to a Stage 3 Complaints Review Panel, are linked to the five Stage 2 Investigations in this report.

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

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

<b>Service: Looked after Children and Disability Services</b>
Action taken by the service following recommendations:
<ul style="list-style-type: none"> <li>• Current procedures relating to Fabricated and Induced Illness will be reviewed and appropriate policy/procedures and training put in place.</li> </ul>
<ul style="list-style-type: none"> <li>• Childrens Social Care should be notified of all EHCP assessments and are required to contribute. A copy would only be provided if there is an active ongoing or subsequent involvement. Guidance will be issues to reiterate and support this.</li> </ul>

<b>Service: Specialist Safeguarding, Targeted Services and Youth Offending Services</b>
Action taken by the service following recommendations:
<ul style="list-style-type: none"> <li>• The Local Authority will undertake to review its current practice in regard to this area and seek to make changes where appropriate to improve the consistency of its provision of information and management of expectations, including where appropriate the development of policy/procedure and staff training/development. Particular attention will be paid to the situation pertaining in this specific case i.e. when duty Social Workers speak to extended family members of an active case that they explain explicitly what they can and cannot share with them and why.</li> </ul>

## Corporate Stage 1 Complaints

The Complaints Team processed a total of 130 complaints through the Corporate Complaints Procedure at Stage 1. The chart below provides a breakdown by quarter together with a comparison for the previous reporting year.

Reporting Period	Q1	Q2	Q3	Q4	TOTAL
2015/16	35	29	19	28	111
2016/17	31	32	34	35	132
2017/18	38	43	29	20	130

The above data represents a 2% decrease in Corporate Stage 1 Complaints this reporting year. As with the data for Statutory Complaints, it is not possible to forecast figures for complaints as it is not predictable to know what may constitute a complaint to someone.

## Breakdown

The following tables provide a further breakdown of the 130 complaints investigated at Stage 1 of the Corporate Complaints Procedure:

Education and Skills	Q1	Q2	Q3	Q4	TOTAL
SEND Teams	7	8	6	4	25
School Admission and Transport	-	1	1	-	2
Home Education Team	-	1	-	-	1
<b>TOTAL</b>	<b>7</b>	<b>10</b>	<b>7</b>	<b>4</b>	<b>28</b>
Partnership and Development	Q1	Q2	Q3	Q4	TOTAL
Independent Case Conference Chair	1	-	1	1	3
<b>TOTAL</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>3</b>
Looked after Children and Disability Services	Q1	Q2	Q3	Q4	TOTAL
Care Planning and Court Team	1	6	2	1	10
Fostering Support Team	-	1	-	-	1
Occupational Therapy Team	-	1	-	-	1
Disability Team	1	2	-	2	5
Throughcare Team	4	-	1	1	6
Adoption Team	2	1	2	-	5
<b>TOTAL</b>	<b>8</b>	<b>11</b>	<b>5</b>	<b>4</b>	<b>28</b>
Specialist Safeguarding, Targeted Services and Youth Offending Services	Q1	Q2	Q3	Q4	TOTAL
Youth Offending Team	-	-	-	2	2
Emergency Duty Team	-	2	-	-	2
Specialist Safeguarding Units	15	17	13	10	55
First Response Team	4	-	1	-	5
Local Support Teams	3	-	1	1	5
Family Intervention Project	-	2	-	-	2
<b>TOTAL</b>	<b>22</b>	<b>21</b>	<b>15</b>	<b>13</b>	<b>71</b>



## Nature of Stage 1 Corporate Complaints

The table below shows the nature of complaints dealt with under Stage 1 of the Corporate Feedback Procedure since the period where these were absorbed by this section of the Customer Feedback and Complaints Team, broken down by service areas, also detailing a percentage format specific to each service area:

Nature of Complaint	Percentage
<b>Education and Skills</b>	
Case Management	68%
Delay in Service	8%
Inaccurate Information Recorded	4%
Staff Conduct	8%
Standard of Service	12%
<b>TOTAL</b>	<b>100%</b>
<b>Looked after Children and Disability Services</b>	
Case Management	50%
Staff Conduct	20%
Standard of Service	7%
Inaccurate Information Recorded	7%
Access to Service	7%
Eligibility	3%
Disclosure of Information	3%
Delay in Service	3%
<b>TOTAL</b>	<b>100%</b>
<b>Partnership and Development</b>	
Staff Conduct	100%
<b>TOTAL</b>	<b>100%</b>
<b>Specialist Safeguarding, Targeted Services and Youth Offending Services</b>	
Case Management	43%
Staff Conduct	41%
Disclosure of Information	6%
Communication	4%
Delay in Service	1%
Access to Service	1%
Standard of Service	1%
Inaccurate Information Recorded	3%
<b>TOTAL</b>	<b>100%</b>

## Outcomes of Stage 1 Corporate Complaints

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

Please note that 6% of complaints remain outstanding as of the time this report is prepared:

Reporting Period	Upheld	Partially Upheld	Not Upheld	Complainant not Engaging	Remains Ongoing	Unable to make a Finding	Complaint Withdrawn
2015/16	9%	42%	40%	2%	4%	1%	-
2016/17	12%	45%	38%	-	2%	12%	2%
2017/18	8%	34%	51%	-	6%	-	1%

The data above shows a decrease in the complaints which are found to be upheld or partially upheld. Whilst it is clearly pleasing to note these figures, this does not necessarily mean there is no learning to be captured. Staff are encouraged to take note of all feedback received and take any learning points forward with their respective teams in order to shape future provision.

## Timescales for Responding to Stage 1 Corporate Complaints

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

Please note that these figures do not consider complaints which remain outstanding or which were withdrawn:

Reporting Period	Within Timescale	Over Timescale
2015/16	59%	36%
2016/17	63%	35%
2017/18	53%	40%

These figures show that 53% of complaints are responded to within the prescribed timescale set out within the Corporate Feedback Procedure.

As stated within the data for Statutory Complaints, it is sometimes necessary for responses to run outside of timescales for a number of reasons outside of the responding officer's control. The Customer Feedback and Complaints Team will continue to work closely with staff members to ensure that communication is kept open with the complainant and a revised completion date agreed.

## Remedies for Stage 1 Corporate Complaints

89% of Stage 1 Corporate Complaints have been provided with an explanation as the remedy. As with Statutory Complaints, many complainants simply require an explanation as to why certain decisions have been made and in the majority of cases, this enables the complainant accept the explanation as some form of resolution to their complaint.

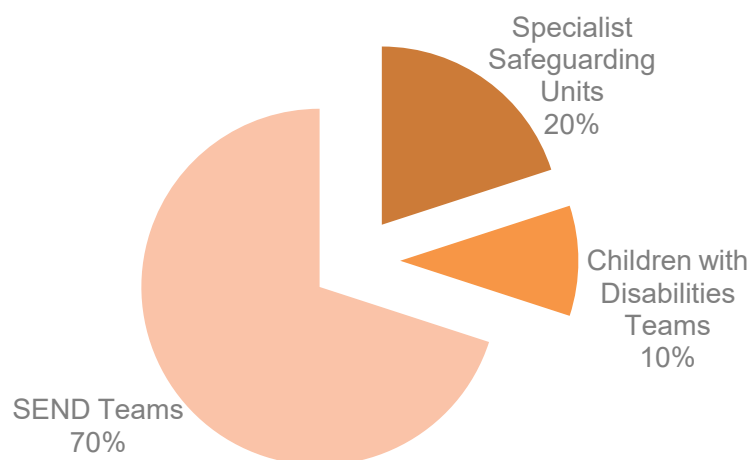
## Stage 2 Corporate Complaints – Internal Review

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

The table below shows the Stage 2 Reviews that have taken place in respect of the services within Children and Families Services:

Service	Number of Stage 2 Reviews
Education and Skills	7
Specialist Safeguarding, Targeted Services and Youth Offending Services	2
Looked after Children and Disability Services	1

The chart below provides a further breakdown into teams:



## Recommendations and Learning from Corporate Stage 2 Reviews

The below table provides a small selection of recommendations and learning which has been identified from Stage 2 of the Corporate Complaints Procedure. All learning identified through this process is shared in widest sense through various means of reporting and staff development sessions.

<b>Service: Specialist Safeguarding Units</b>
Action taken by the service following recommendations:
<ul style="list-style-type: none"> <li>- Staff have been asked to routinely consider meeting with complainants at the first stage of the process, to try and resolve concerns in person.</li> </ul>

<b>Service: SEND Teams</b>
Action taken by the service following recommendations:
<ul style="list-style-type: none"> <li>- The response through the Stage 2 Review is shared with SEND Teams, to gain a wider understanding of the Corporate Complaints Procedure.</li> </ul>

## Local Government Ombudsman (LGO)

The Local Government Ombudsman has processed 30 complaints for children's services during this reporting period. The LGO 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 LGO finding reported below how it is stated from the LGO:

Service	LGO Status	LGO Finding	LGO Recommendations
School Admission Appeals	Investigation	Investigation Discontinued	Not Applicable
School Admission Appeals	Investigation	No Fault	Not Applicable
School Admission Appeals	Investigation	Refusal to Investigate	Not Applicable
School Admission Appeals	Investigation	Maladministration – No Injustice	The Council was at fault when it included information about another child in the decision letter. But it apologised for this and sent the correct decision promptly. I consider this is sufficient to put matters right. I have completed my investigation into this complaint as I do not consider the fault by the Council caused injustice to Mrs B, because it did not affect the outcome of the appeal hearing.
Adoption Services	Enquiry	Investigation Commenced	Not Applicable
Adoption Services	Investigation	Maladministration and Injustice	There was fault by the Council in the failure to give Mr and Mrs B sufficient clear and timely information, feedback and support to enable them to explore

			their views and presentation that were of concern to the Council. This meant the decision not to allow them to proceed to the next stage was not sound. The Council will arrange, within the next two months, for Mr and Mrs B to go through stage one again.
Care Planning and Court Team	Enquiry	No Fault	Not Applicable
Childrens Disability Services*	Investigation	Maladministration and Injustice	The Council has implemented all the recommendations made by the stage two investigation and the stage three review panel. It is my view that these actions have remedied the injustice caused by the fault. It is Mrs X's choice not to accept the financial offer made by the Council. I cannot see any further actions that the Council should take to remedy the fault or injustice in this case.
Childrens Disability Services	Investigation	Maladministration and Injustice	Financial payment made. The Council has also agreed to provide training for relevant staff about the need to include parent carer needs in children's social care assessments. It accepts this should be an integral part of the process. It will also advise managers of the lessons learned from this complaint. The Council should confirm the action taken within three months of the decision.
Childrens Disability Services	Enquiry	Remains Ongoing	Not Applicable
Education Psychology Services/SEND	Investigation	Maladministration and Injustice	Financial payment made. The Council should also ensure its internal procedures are robust enough to ensure it delivers services where there is a legal obligation on it to do so.
Targeted Services	Enquiry	No Fault	Not Applicable
Targeted Services	Investigation	Maladministration and Injustice	Financial payment made. The Council should reflect with the Learning Support Team (education welfare) learning points arising from the investigation such as good record keeping, identifying a child missing out on education and when to act.
SEND	Premature Referral	Premature Referral	The complainant was directed the Complaints Team, to request formal investigation of their complaint through the Complaints Procedure.
SEND	Enquiry	Investigation Discontinued	The Council had remedied the complaint during the LGO enquiries, to the complainant's satisfaction.
SEND	Enquiry	Investigation Commenced	Not Applicable.

SEND	Investigation	Maladministration and Injustice	Financial payment made. Refer the case back to the Transport Appeals Panel to reconsider. The Panel should not include members who made the original decision. It should minute how the Panel reaches its decision and what evidence it has considered. Ms Y should be invited to provide additional evidence in support of her appeal. If the revised decision is to allow transport assistance the Council should pay Ms Y her reasonable travel expenses in providing transport to her son since September 2017.
SEND	Investigation	Maladministration and Injustice	To address these faults, I recommend the Council review its procedures to consider how best it can: a) notify parents if EHC assessments are likely to take longer than 20 weeks for any of the reasons set out in Regulations; b) complete the process set out in legislation and Government guidance before issuing a child's Education, Health and Care Plan; c) ensure that it considers the individual circumstances of children requiring alternative education, and the amount of tuition they require, and records its decisions; and d) make arrangements for alternative tuition to begin without delay.
SEND	Enquiry	Investigation Commenced	Not Applicable
SEND	Investigation	Maladministration and Injustice	The Council has agreed to provide Mr X with a further opportunity to provide evidence to support his appeal and refer the case back to the Panel to reconsider and. It should record how the Panel reaches its decision and what evidence it considers. The decision letter should explain the reasons for the decision and show that the Panel has taken account of the individual circumstances of the case. If the revised decision is to award transport, the Council should reimburse Mr X for any reasonable expenses in providing transport for C during the time he has been without transport. The service area has also proposed to update the review/appeal guidance for Stages 1 and 2 to ensure that officers of the Council accurately record on their decision how they considered: • the distance and journey time of the place of learning from the home, considering the nature (including safety)

			of the route, or alternative routes, which a young person could be expected to take <ul style="list-style-type: none"> <li>the fact young people should be able to reach their education or training without incurring such stress, strain, or difficulty that they would be prevented from benefiting from the education provided.</li> </ul>
SEND	Investigation	Maladministration and Injustice	Financial payment made. Provide Miss X and D with a written report setting out what will happen next. This should specify the support that will be offered to them, and by whom, for the year ahead. A named senior officer should be responsible for overseeing this. The purpose of this is to avoid the faults identified in this report happening again and to restore Miss X's loss of confidence in the Council. <ul style="list-style-type: none"> <li>Review its procedures regarding the allocation of social workers where the service user has an EHCP.</li> <li>Confirm to the Ombudsman what action it has taken to ensure EHCP reviews are held when they are meant to be, as the Council has said it will do in its stage two complaint response.</li> </ul>
SEND	Investigation	Remains Ongoing	Not Applicable
Specialist Safeguarding	Enquiry	No Fault	Not Applicable
Specialist Safeguarding*	Investigation	Maladministration and Injustice	There is fault by the Council that caused Ms X and her family distress. However, the Council's apologies and the financial offer is deemed a suitable remedy and the Ombudsman cannot achieve more for Ms X, Ms Y and Z.
Specialist Safeguarding	Enquiry	Remains Ongoing	Not Applicable
Specialist Safeguarding Team	Refusal to Investigate	Not Applicable	Not Applicable
School Transport Team	Enquiry	Investigation Commenced	Not Applicable
School Transport Team	Investigation	Maladministration – No Injustice	There was no fault in how the Council decided to refuse Mr X's application for transport assistance, or in how it reviewed this decision when he appealed it. There was fault in the time the Council took to consider Mr X's appeal. This did not cause Mr X injustice because Ms Z had already withdrawn from college.
School Transport Team	Enquiry	Investigation Commenced	Not Applicable
School Transport Team	Investigation		The Council has agreed to the following: <ul style="list-style-type: none"> <li>Invite Mr X to make a fresh application with any additional evidence in support of his case and consider it properly based</li> </ul>

		<p>on all the information. In advance of this it should write to Mr X and explain what information he is required to provide (for example, about the benefits he receives).</p> <ul style="list-style-type: none"> <li>• Provide Mr X with a proper explanation for its decision.</li> <li>• Apologise in writing to Mr X for not considering his application properly.</li> </ul>
<b>TOTAL</b>		<b>30</b>

From the 30 complaints which the LGO have considered, 40% have reached a finding of fault.

\*It should be noted that these two investigations follow each complainant accessing all three stages of the Statutory Complaints Procedure. Whilst the Local Government Ombudsman have found fault, they have been clear in their reasoning that this is the same identified fault through the Stage 2 Investigation which had already been acted upon in terms of learning and recommendations implemented. The Local Government Ombudsman were unable to find evidence of any new fault which the Local Authority had not already identified.

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 LGO will monitor any recommendations and their case shall remain open until they are satisfied that a proposed remedy has been implemented.

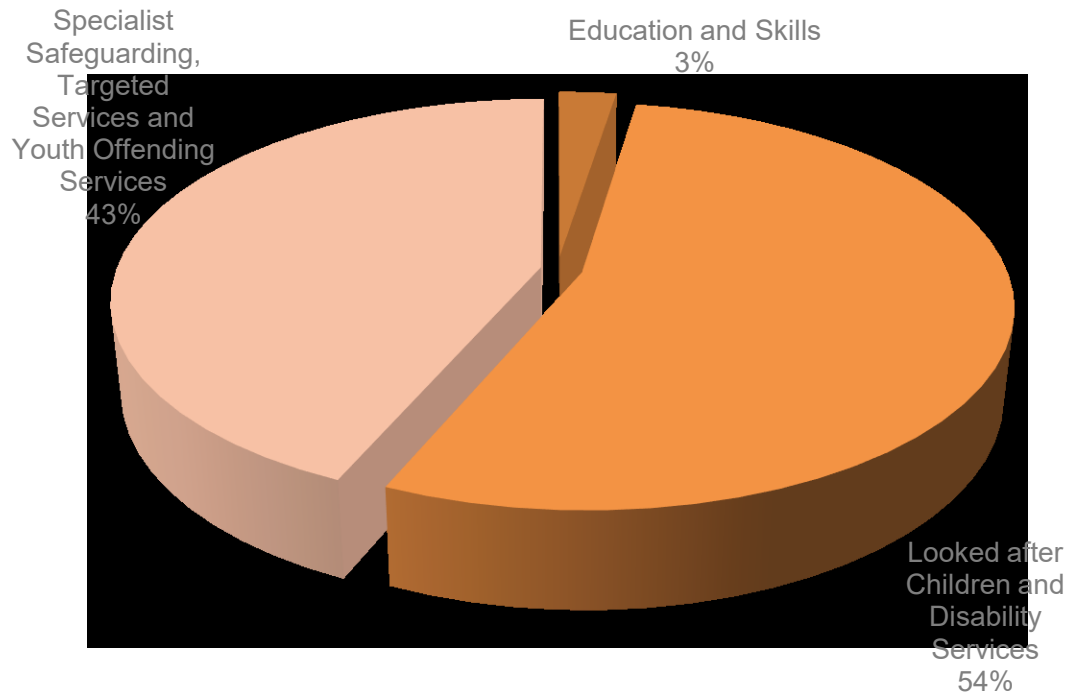
A development this reporting year from the Complaints Team has been to introduce a reporting tracker for all LGO cases. This is shared with the Families First Management Team on a quarterly basis, to ensure that senior management are aware of all cases which are being considered by the LGO. This mechanism was introduced to allow management to become aware of any recommendations and learning which whilst may not be specific to their own services, may still provide some valuable learning and insight into any cases linked to other teams. It is also hoped to raise the awareness of any identified faults and encourage communication regarding those complaints.



## Compliments

A total of 237 compliments have been recorded for this reporting period. This is a significant increase of 22% on comparison to the previous year's figures. Each compliment is highly valued and provides staff with some positive recognition for the hard work which they undertake. Data for compliments is routinely shared with Senior Managers, within the monthly and quarterly management reports produced by the Complaints Team.

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



## Examples of Compliments

### Specialist Safeguarding, Targeted Services and Youth Offending Services

- I would like to thank you for your support and to acknowledge your positive role as a lead professional within this case.
- Thank you so much for all that you did yesterday! - I really feel that you did an excellent job and have been more proactive and communicative than many other agencies I have dealt with.
- As you will recall, HHJ Perry was genuinely delighted with what you had achieved in partnership with the Local Authority and was very complimentary in Court.
- There has been a marked improvement in the children's engagement with social services and our working relationship. The new social worker, engages well with the children and takes a genuine interest in their school work which has resulted in the children trusting him and enjoying spending time with him.
- Also, the judge wanted me to pass on to you that he felt that this case was a very good piece of social work by the local authority. He felt that this case could have gone in a completely different direction but because of how it has been managed by you it has resulted in a child being able to stay with his parent.
- She came on board and immediately instigated him being returned to his family home. She got involved, built up a relationship with him and delivered results. Her manner is friendly, supportive and trustworthy. She listens and does not judge offering suggestions for resolutions. She has always kept me informed and answered/returned my telephone calls in spite of her work load. She is a glowing example of what a social worker is all about. We are very happy to have her on

board and wish to highlight her brilliant work to you.

- I am sending you this email to thank you for allowing me to shadow your team. The time spent with them was a fantastic opportunity to gain a greater understanding of the role of a social worker in child safeguarding. Your team were very supportive, also informative, and I left with a greater knowledge of practice, law and orders.
- I genuinely believe without their input my son could have potentially been exposed to risk of harm and therefore I shall be forever thankful for their prompt and professional intervention.

## Looked after Children and Disability Services

- Staff at the Alders have all, without exception been extremely professional in their work. They are always welcoming, and it is down to their compassion and commitment to their work that we have so many young people describing their time with you as very positive.
- Parents initially had very entrenched views with regards to their son's behaviour. I was amazed by the response of his parents when they stated that they were 'happy' to have the teenager remain with them as long as they knew his whereabouts. This is a clear reflection of all the hard work undertaken by you with regards to a change in the parent's views and how they manage their own responses to the teenager in question. It would not be an exaggeration if I were to say that I was 'amazed' by the transformation in the parents. Thank you for all the hard work you have done with the family.
- I believe the Theraplay has been invaluable to us in forming a good attachment and would hope that other adopters would have the chance to take part in these sessions. It has also added extra play with structure to his day so he's more than happy! Lastly, I just want to add a big 'Thank you' to you both for making this an enjoyable experience for us both and we will definitely be using your techniques going forward. It has certainly made a big impression on him, as everyone that comes to the door with an oversized bag is now asked if they have a mat, bubbles and stickers!
- My new PA has been really good to me. She has given me good advice and helped with things that I need.
- I have spoken to his Mother today and she is very emotional about the difference this has made to the whole family's life. For the first time in many years she has been able to sleep in her own bed alone and she is sleeping better. He is going to bed at 8pm and not waking until 4am. The family now have space downstairs and his sister has room to play. Mother describes things as 'completely different' and 'Extremely life changing.'
- As a fellow colleague, it was a joy to work with her. It is evident that she is proud of her work and always gives of her best. Attributes that I know will be of great benefit to her in her social work practice.
- Thank you for the exceptional service that my grandchild and myself received from these two professional ladies. She offered a "needs led service" dealt with many difficult situations with compassion sensitivity and above all wisdom. She worked many hours and offered a service that was far above, and over what was expected of her. My grandchild trusted her completely. Indeed, even the Judge at the family court on commended on her dedication on the case.
- The social worker who assessed me to become the special guardian did so much more than that, she showed me great compassion, supported me in some difficult decision making, arranged visits around my work, guided through a process which was so foreign to me and at times frightening. I honestly don't think I would have coped without her and will always be grateful for her support, guidance, kindness and professionalism. My grandchild is the most wonderful little girl in the world, at every milestone in her life. I shall tell her about these two wonderful ladies who helped shape her future and the wisdom that they displayed in securing her future.

## Education and Skills

- Just wanted to say how great your transfer team are! They are genuinely seeking to improve the quality of the EHCP that they are sending to me for sign off and are actively seeking feedback! They put up with my comments and constructive criticism with grace as I understand the pressure they are under re meeting targets but are always willing to adjust/amend.
- In addition to providing DEAFvibe with a professional interpreter and notetaking service, ASSIST staff share their knowledge and expertise and passing on their skills, prioritising the needs of DEAFvibe as a charitable organisation and ensuring people with sensory loss have access to fair treatment and equal opportunities. ASSIST also deserve to be recognised for the way they have encouraged everyone connected to sensory services in Staffordshire, service users, volunteers, professionals and charities to work together to increase awareness with the aim of improving service provision.
- I just wanted to let you know that when I visited today, a lead member of staff said how great she is and what a brilliant job she's done of pulling together information to give a more holistic picture which didn't seem to have been managed by any other professional thus far.
- Anyway, thank you so much, the unit has given him a childhood back and also me a life outside caring for him and fighting to get things for him to have a normal education without illness being in the way.

## Annual Report Commentary from the Complaints Team

Whilst it is evident that there has been a decrease in the overall amount of complaints received this year; it is not possible to provide a conclusive reason for this. The data used within this report is divided between the different complaints procedures and as such the fact that the statutory complaints procedure has resulted in a higher figure of upheld complaints is prominent; however, it is also important to consider the complaints received for Children and Families Services as a whole. When viewing the data in this way, of the total complaints investigated between both procedures 13% were upheld, 36% partially upheld and 46% not upheld.

Responding to complaints within the prescribed timescales has been a focus point within each quarterly report produced this reporting year. It is widely acknowledged that the timescales in some instances can be unachievable; and there are varying factors as to why this is. The Complaints Team continue to raise the importance of remaining in communication with the complainant, and ensuring they are aware of any potential delay with an updated completion date agreed. This point will continue to be monitored through the ongoing reporting to staff.

The data for Local Government Ombudsman complaints report a rise in complaints where fault has been identified, with an increase of 24% upon comparison to 16/17. Whilst some investigation findings have been challenged; the majority have been fully accepted by the services at the first stage. The Local Government Ombudsman have the same powers as the High Court in terms of requesting information and as such it is imperative that requests received from them are acted on in a swift manner. This reporting year staff have been extremely cooperative and attended various meetings to consider Local Government Ombudsman investigations and agree next steps.

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 service, their cooperation and willingness to investigate and respond to complaints is routinely noted. Every effort is made to resolve complaints at the initial stage; this reporting year there have been several instances where meetings have been facilitated between managers, the complaints officer and the complainant to try and take a different approach to resolving the issues before instigating the next stage of the process. This method has proved successful in several cases and staff are thanked for their assistance in this regard.

It is pleasing to note the increase in compliments this reporting year; compliments provide valuable detail in a direct way of what people appreciate about services and the way in which they are provided. Feedback of this nature also provides a valuable motivational tool for staff and allows them to celebrate their performance.

Given that each complaint differs in its content, there is always scope for further work to be undertaken with all services to ensure complaints investigations address all the issues raised and identify any improvements to the delivery of services. The Complaints Team will continue to work alongside staff to further develop working relationships and raise the awareness of the work which is undertaken.

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