

# Delivering the Difference Together



*Putting the people of Staffordshire first*



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

## Introduction

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

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

## The Statutory Complaints Procedure

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

There are three stages to the Statutory Complaints Procedure:

### Stage 1 – Local Resolution

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

### Stage 2 – Independent Investigation

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

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

### Stage 3 – Complaint Review Panel

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

### Local Government and Social Care Ombudsman (LGSCO)

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

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

## The Corporate Complaints Procedure

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

There are two stages to the Corporate Complaints Procedure:

### **Stage 1: Local Resolution**

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

### **Stage 2: Internal Review**

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

### **Local Government and Social Care Ombudsman (LGSCO)**

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

## Key Numbers and Initial Overview 2019/20



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



**225**  
compliments received.



**52%**  
of completed complaints responded to within prescribed timescales.



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



**212**  
matters recorded under the Duty category.



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

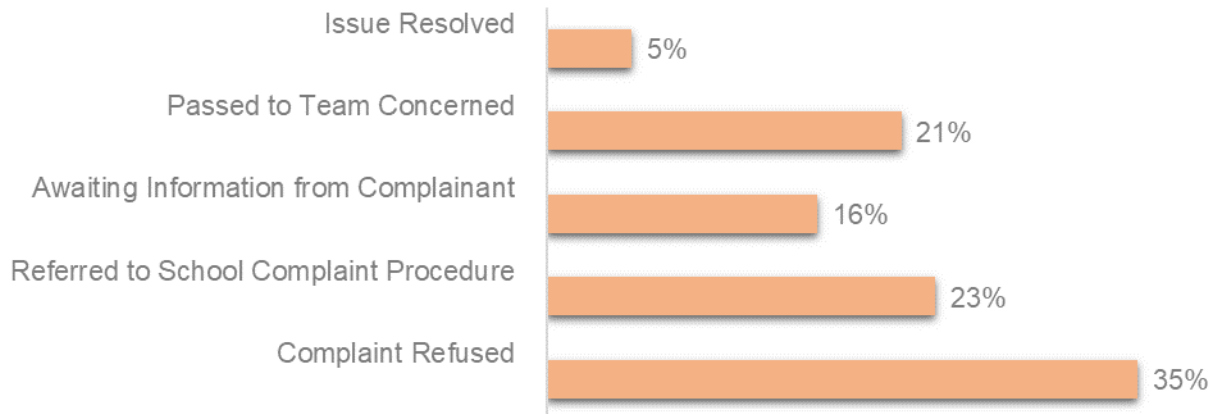
## Composition of Total Feedback Received

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

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

## Duty Matters

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



## Duty Matters by Operational Leadership\*

LAC and Disability Services: 34%

Partnership and Development: <1%

Education and Skills: 14%

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

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

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

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

## Statutory Stage 1 Complaints: Key Themes

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### Numbers

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

### Nature of Complaint

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

### Timescales

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

### Resolved

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

### Findings

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

### Relationship

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

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

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

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

## Breakdown

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

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



## Outcomes of Stage 1 Statutory Complaints\*

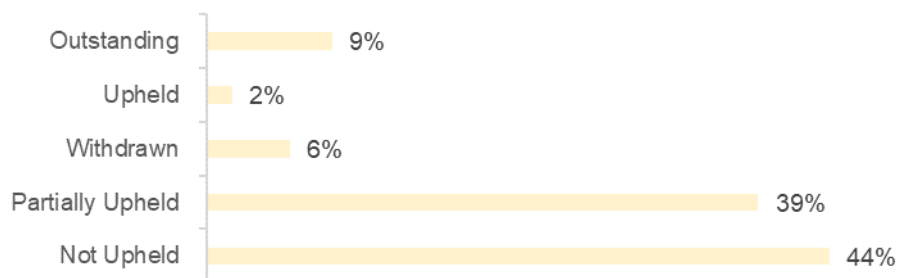
Reporting Period	Upheld	Partially Upheld	Not Upheld	Complaint Withdrawn
2017/18	22%	39%	37%	-
2018/19	6%	56%	34%	5%
2019/20	2%	39%	39%	7%

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

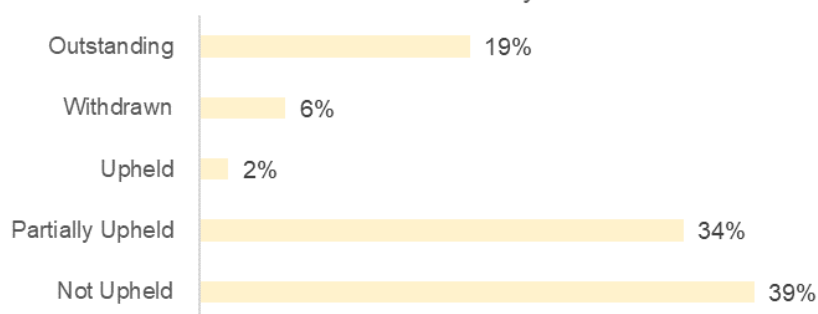
The figures above report that despite there being a 14% increase in Stage 1 Statutory Complaints in comparison to previous reporting years; there is a decrease in complaints being found to be wholly upheld for the second reporting year. There is a decrease to be noted in complaints found to be partially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

## Outcomes by Operational Leadership

Specialist Safeguarding, Targeted Services and Youth Offending Service



LAC and Disability Service



## Timescales for Responding to Stage 1 Statutory Complaints

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

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

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

## Stage 2 Statutory Independent Investigations

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

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

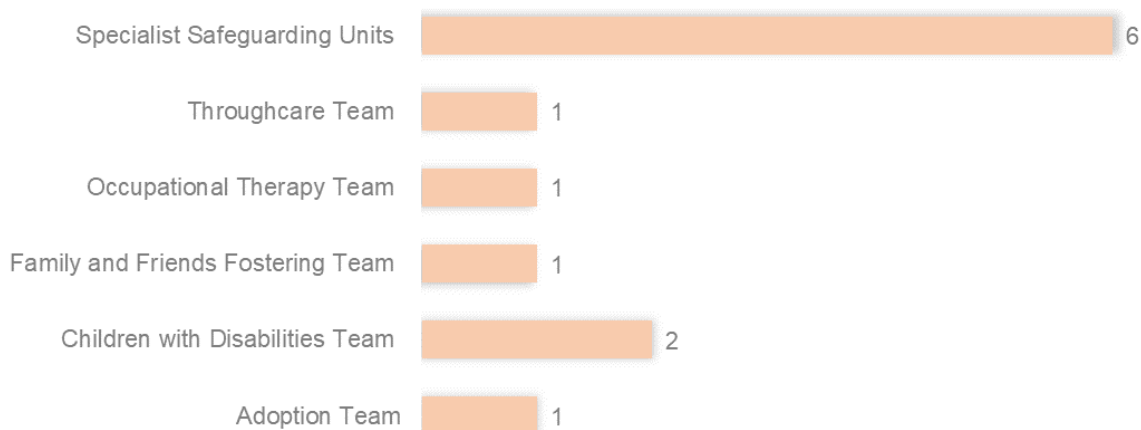
This data shows a slight increase in the percentage of complaints which have progressed to the next stage of the Statutory Complaints Procedure. It should be noted that each complainant has differing reasons regarding why they wish to escalate their complaint, and it should not be assumed this is due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

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

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

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

The chart below provides a further breakdown into individual teams:



## Findings and Recommendations from Stage 2 Statutory Investigations

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

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

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

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

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

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

### Stage 3 Complaint Review Panels

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

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

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

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

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

## Corporate Stage 1 Complaints Key Themes:

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### Numbers

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

### Nature

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

### Timescales

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

### Remedies

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

### Trends

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

### Relationships

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

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

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

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

## Breakdown

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

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

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

## Outcomes of Stage 1 Corporate Complaints

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

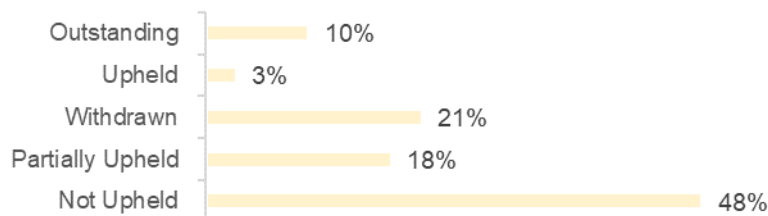
Reporting Period	Upheld	Partially Upheld	Not Upheld	Unable to make a Finding	Complaint Withdrawn
2017/18	8%	34%	51%	-	1%
2018/19	19%	44%	35%	1%	5%
2019/20	22%	30%	24%	-	6%

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

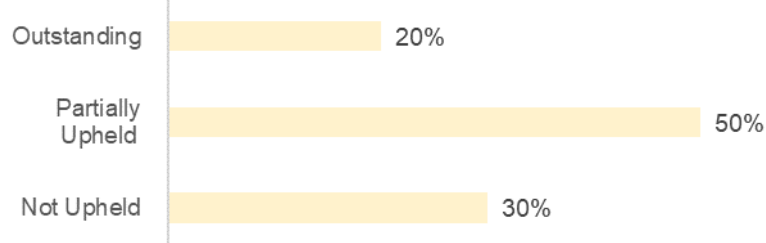
\*at the time of producing this report, 21 complaints remained outstanding and as such the data above may alter in the future.

## Outcomes by Operational Leadership:

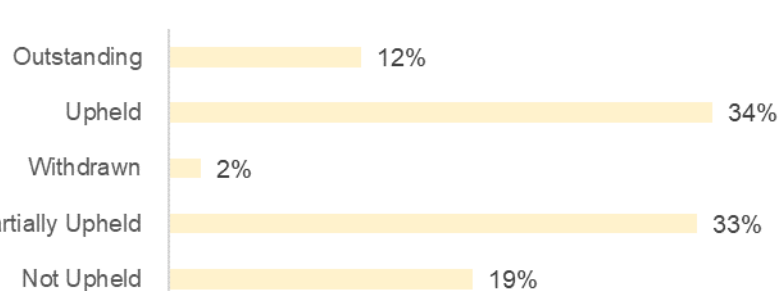
### Specialist Safeguarding, Targeted Services and Youth Offending Service



### LAC and Disability Service



### Education Strategy and Improvement





## Timescales for Responding to Stage 1 Corporate Complaints

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

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

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

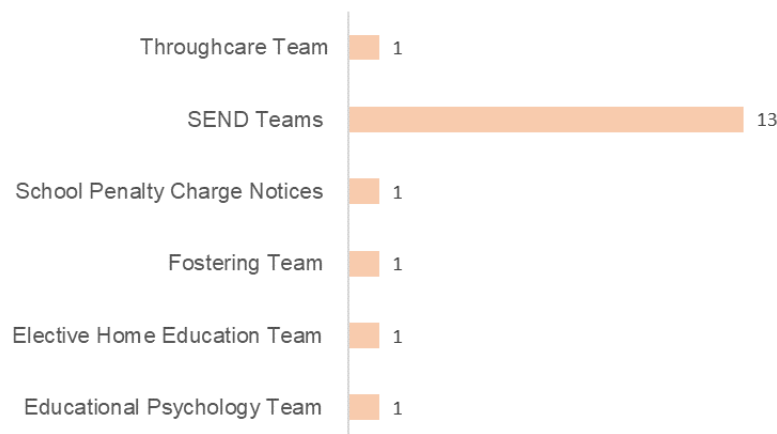
## Stage 2 Corporate Complaints – Internal Review

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

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

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

The chart below provides a further breakdown into teams:



## Recommendations and Learning from Corporate Stage 2 Reviews

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

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

## Local Government and Social Care Ombudsman (LGSCO)

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

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

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

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

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

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

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

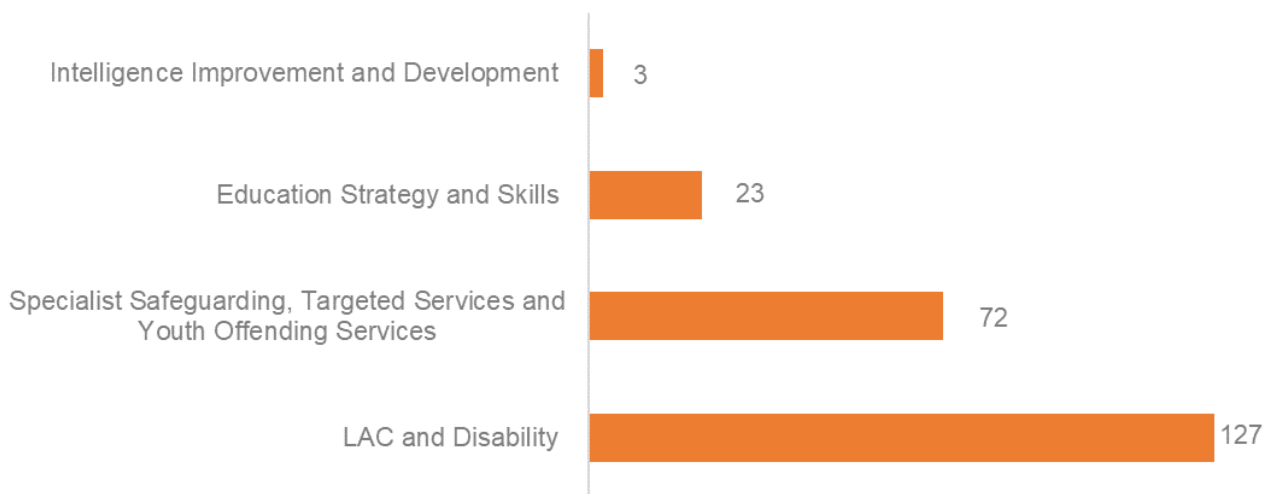
\*There are multiple investigations recorded for the School Transport Policy Team; however, these all relate to the same complaint which surrounds a decision regarding home to school travel assistance. A number of parents approached the LGSCO, who were represented by one parent. The LGSCO logged each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

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

## Compliments

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

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



## Examples of Compliments

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

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



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

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

## Looked after Children and Disability Services

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

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

## Education Strategy and Improvement

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

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

## Intelligence Improvement and Development

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

## Annual Report Commentary from the Complaints Team

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

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

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

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

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

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

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

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

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

**Report Author:**

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