

# **Children and Families Services Statutory Annual Complaints and Feedback Report 2021 – 2022**

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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 2021 to 31 March 2022. The report and service are provided in accordance with the Complaints and Representations Procedures established under the Children Act 1989 and the Local Authority Act 1970.

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

## The Statutory Complaints Procedure

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

## **The Corporate Complaints Procedure**

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

There are two stages to the Corporate Complaints Procedure:

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

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

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

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

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

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

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

**Key Facts and Figures – Children and Families 2021/22 Financial Year**



**5264**

referrals were made to Children's Services.



**6173**

statutory Child Social Work Assessments were completed.



**1565**

non-statutory assessments were completed by the Early Help service.



**755**

Education, Health, and Care Needs Assessments were started.



**655**

Education, Health and Care Plans were issued.

## Key Numbers and Initial Overview – Customer Feedback and Complaints



A total of **237** complaints investigated through the different stages of the Statutory and Corporate Complaints Procedures.



**197**

compliments received for the whole service.



**62%**

of completed complaints responded to within prescribed timescales.



**20%** of completed stage 1 complaints found upheld,  
**38%** found not upheld,  
**42%** found partially upheld.



**135**

matters recorded under the Duty category.



**43**

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

## 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	2020/21	2021/22	Change
Duty	197	135	37% ↓
Statutory Stage 1 Complaints	107	92	14% ↓
Statutory Stage 2 Independent Investigations	10	6	40% ↓
Statutory Stage 3 Panels	3	3	-
Corporate Stage 1 Complaints	100	118	18% ↑
Corporate Stage 2 Reviews	10	18	80% ↑
LGSCO	41	43	2% ↑
Compliments	264	197	25% ↓
MP/Public Enquiries	77	117	51% ↑

## Analysis of Complaints and the Children and Families Service Transformation

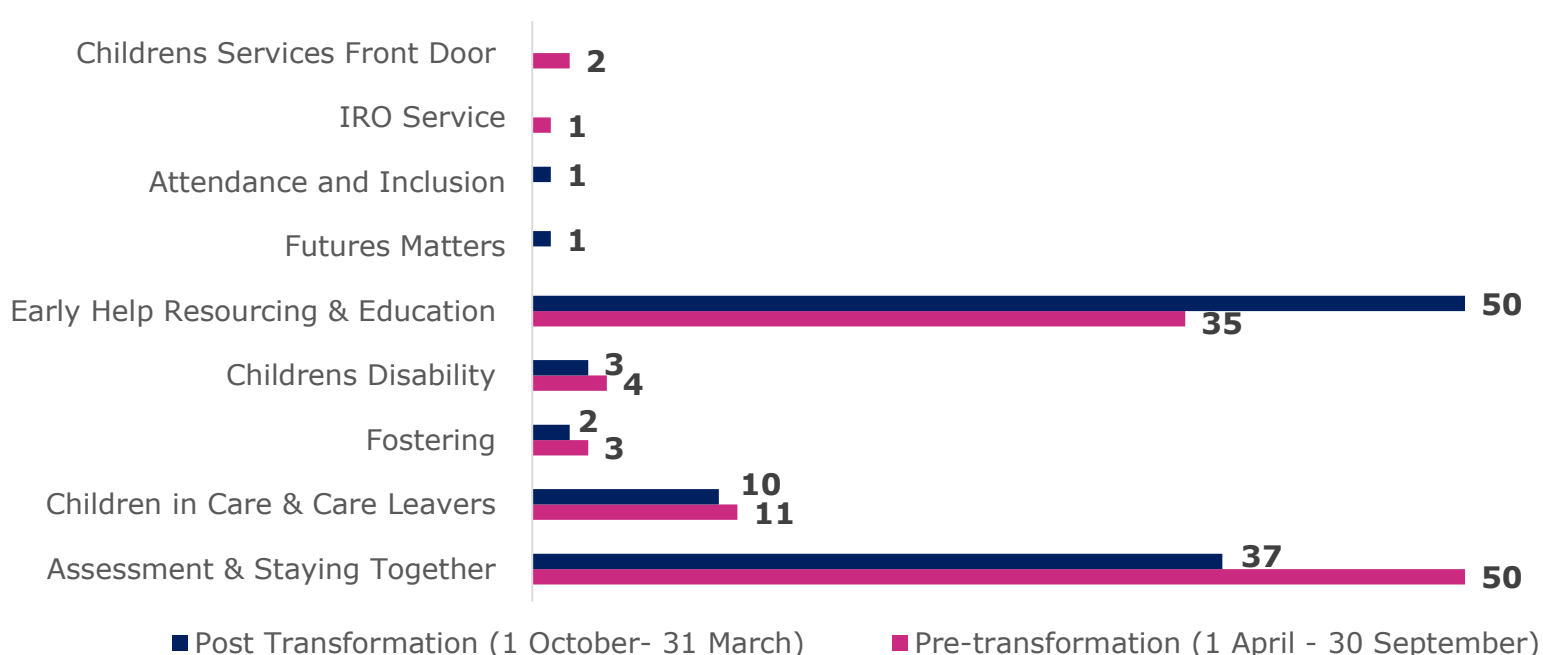
During this reporting year the service underwent a transformation which led to the service being restructured. The change in structure went live on 1 October 2021, where the service moved to a district operating model. The overarching principle for the district operating model is to deliver services to children and families at the earliest possible opportunity, ensuring they receive a timely response that works best for them, and that they receive the right help at the right time.

The structure of the database used within the Complaints Team required adaptation, in order to accommodate the change in service structure. For the purposes of this report to try and ensure this data is meaningful and of assistance, complaint figures recorded under the previous structure have been amalgamated within the new and current structure. To offer some clarity, the below may be useful to readers:

<b>Previous Service Name (pre transformation)</b>	<b>Current Service Name (post transformation)</b>
Specialist Safeguarding Unit	Assessment and Staying Together
Care Planning and Court Team	Children in Care and Care Leavers
Throughcare Team	Children in Care and Care Leavers
SEND	Early Help Resourcing SEND and Education
Early Help Team	Early Help Resourcing and Family Support
First Response Team	Childrens Services Front Door

As an example, this will therefore mean that any complaints recorded against the Specialist Safeguarding Unit during this reporting year, will be categorised under Assessment and Staying Together.

The below chart has been prepared to offer an insight into the numbers of complaints (under the Corporate and Statutory procedures) which have been received this reporting year. This chart has been developed to show a comparison between the complaints received pre transformation and post transformation:

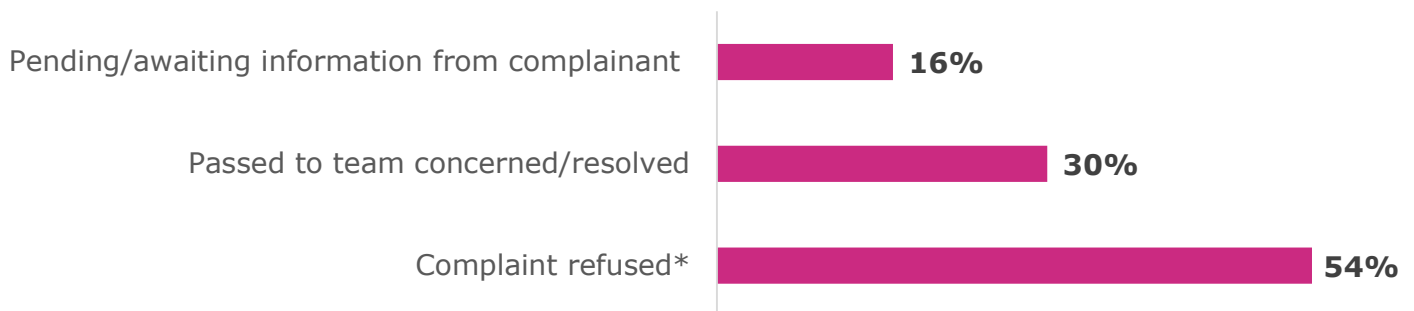


This data shows that there is little difference in the overall figures of complaints between the service transformation; 106 pre transformation and 104 post transformation, which can suggest that the transformation has not resulted in a spike of complaints received for the service as a whole.

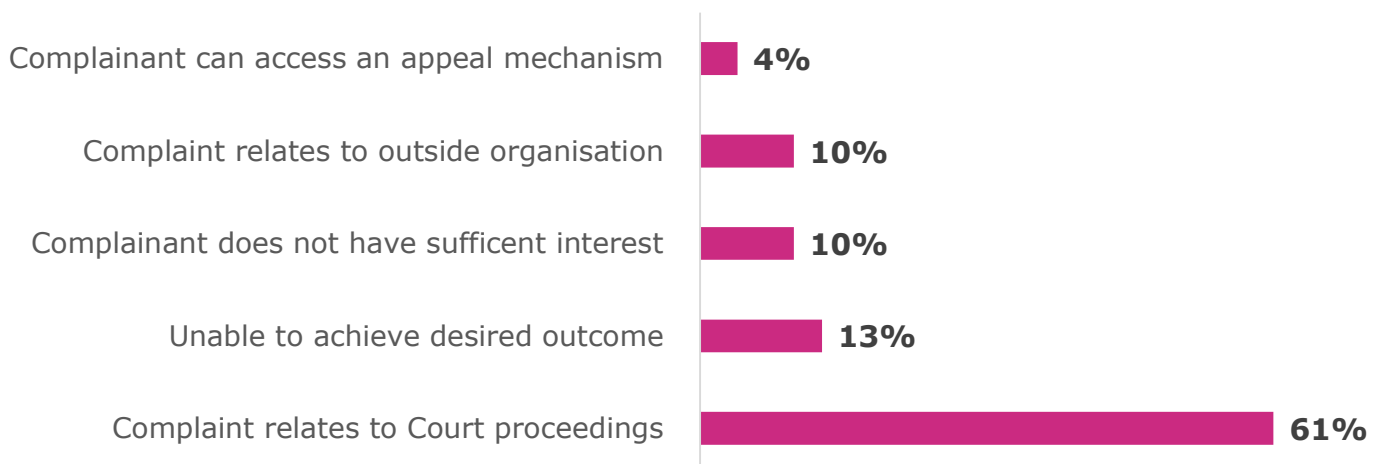
It is evident that there has been a significant increase of 43% for complaints within the Early Help Resourcing and Education teams (previously recorded as the SEND Service) between pre- and post-transformation. This increase does not indicate that all post-transformation complaints have been found to be upheld, however an increase of such significance should be explored in conjunction with the relevant management. Routine reports are provided to management which give an overview of figures recorded for complaints and discussions remain ongoing as to how we can work alongside the services to assist.

### Duty Matters

A total of 135 matters were categorised under the duty system, the below chart provides detail of how these have been recorded:



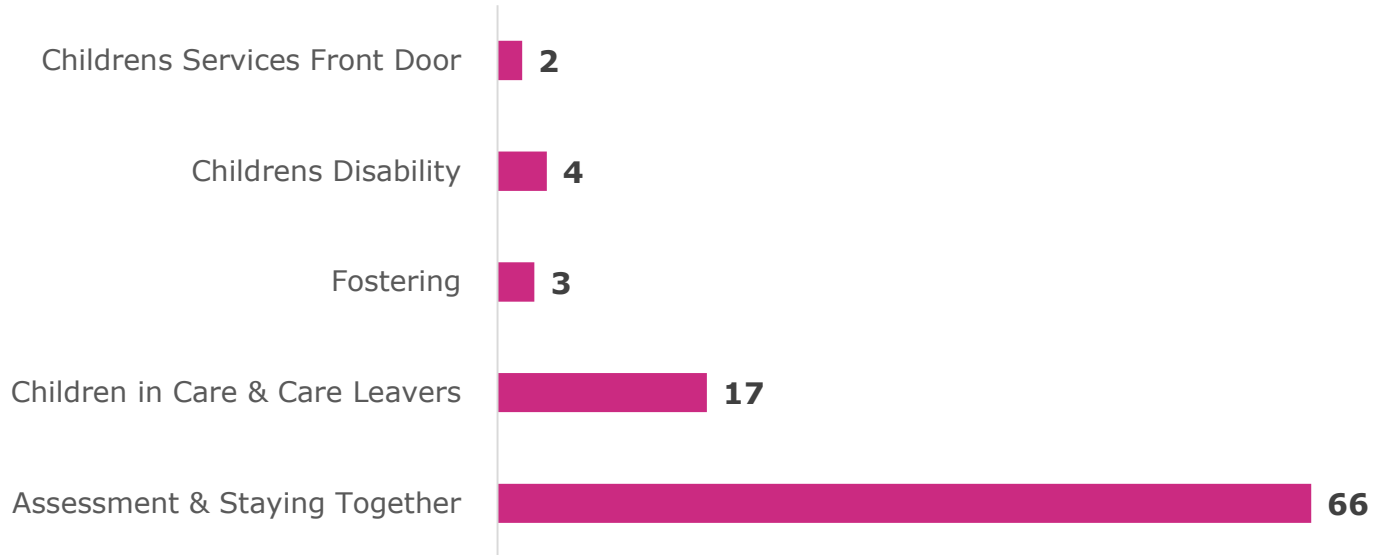
\*In terms of those complaints which are refused further investigation, further detail is provided in the following chart:





### **Duty by Service\***

\*matters categorised as 'pending/awaiting further information' are not contained in these figures.



## Statutory Stage 1 Complaints: Key Themes

### Numbers

An overall 14% decrease is reported for Stage 1 Statutory Complaints across the services when compared to the 2020/2021 reporting year.

### Nature of Complaint

Case management, standard of service and staff conduct remain the consistent themes for nature of complaints, allowing for 79% of Statutory Stage 1 Complaints.

### Timescales

The services adherence to the timescales when responding to Statutory Stage 1 Complaints is recorded as 62% being responded to within published timescales.

### Resolved

Various complaints have been resolved via meetings facilitated with the Complaints Team and senior management. This has been following a request for a Stage 2 Independent Investigation and has therefore reduced the cost to the public purse.

### Findings

12% of Stage 1 Statutory Complaints have been found to be wholly upheld.

### Relationship

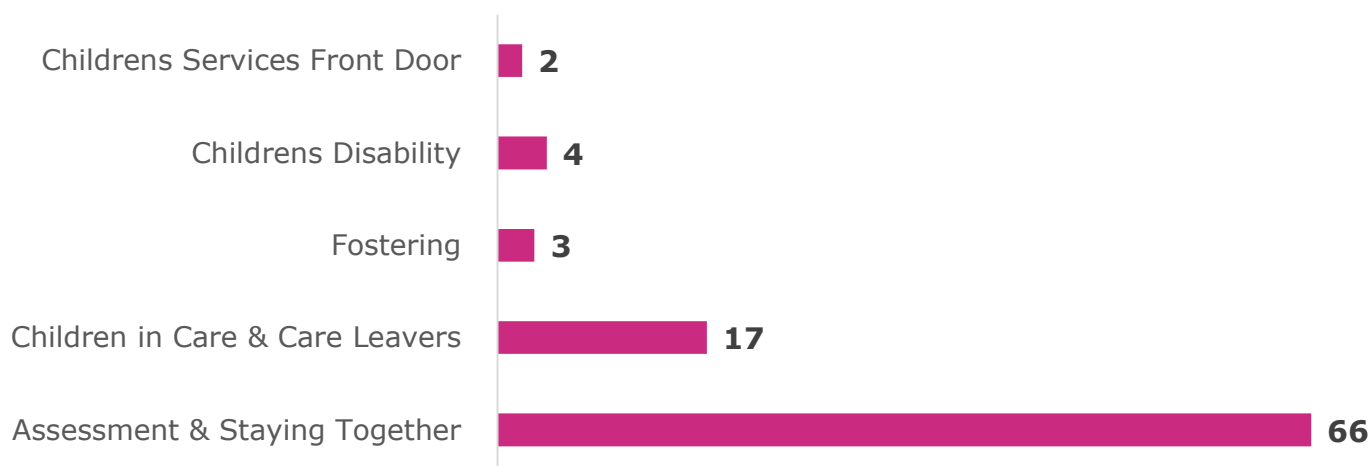
78% of Statutory Stage 1 Complaints were received from parents of service users. Only 4% were received from a young person directly or an Advocate on behalf of a young person. The remainder were from relatives or Foster Carers.

The Complaints Team processed a total of 92 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
2019/20	<b>118</b>
2020/21	<b>107</b>
2021/22	<b>92</b>

The data above reports a 14% decrease in Statutory Stage 1 Complaints, following the trend of the last three reporting years. Whilst a decrease in complaints received is always welcome, this should not minimise the significance and learning taken from those investigated complaints.

### Stage 1 Statutory Complaints by Service:



### Outcomes of Stage 1 Statutory Complaints\*

Reporting Period	Upheld	Partially upheld	Not upheld	Complaint withdrawn
2019/20	2%	39%	39%	7%
2020/21	4%	28%	46%	7%
2021/22	13%	35%	39%	13%

\*At the time of creating this report, a small number of complaints remained open/outstanding, therefore these figures are not definitive and may alter should data be requested in the future.

This data shows there has been an increase in complaints found to be fully upheld, with a decrease in those found to be not upheld. Stage 1 of the Statutory Complaints Procedure is classed as 'local resolution' where the Team Manager of the service concerned will investigate and respond at Stage 1. Whilst an increase in complaints found to be upheld is not something the service would aim for; this does show that Managers investigating complaints about their respective services are able to accept and take responsibility for any faults which they identify.

### **Timescales for Responding to Stage 1 Statutory Complaints**

<b>Reporting Period</b>	<b>Within timescale</b>	<b>Over timescale</b>	<b>Complaint withdrawn</b>
2019/20	54%	40%	6%
2020/21	65%	26%	9%
2021/22	62%	29%	9%

The above data shows there has been little change in comparison to the previous reporting year, in respect of timescales when responding to complaints. The Complaints Team note the challenges which the Childrens Services Transformation has presented to staff and are aware that a complaints investigation can increase the workload. It is inevitable that on occasion, complaint timescales cannot be met, and, on this basis, communication is key; the majority of complaints can in part reference poor communication and a delay in providing a response to a complaint will only add to that frustration. Should a delay become a possibility, communication should be made with the complainant at the earliest opportunity, with a revised timescale agreed at that point.

Routine reports are provided to management and these reports will be modified and adapted based on the requirements of senior management, a focus of these reports will be the percentage of timescales responded to within timescale and a target for the next Annual Report will be for an increase on 62%.

### **Stage 2 Statutory Independent Investigations**

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

<b>Reporting Period</b>	<b>Number of Stage 1 Statutory Complaints</b>	<b>Number of Stage 2 Independent Investigations</b>	<b>Percentage of Stage 1 progressing to Stage 2</b>
2019/20	124	12	10%
2020/21	107	10	9%
2021/22	92	6	7%

This data shows that along with a decrease in complaints being investigated at Stage 1, there is a slight decrease in the percentage of those complainants who progress to a Stage 2 Independent Investigation. The Complaints Team wish to note that escalation to Stage 2 of the Statutory Complaints Procedure is the complainants right and should they wish to take this avenue, we are duty bound to commission an investigation. The Complaints Team work closely with Senior Managers within the services and make every effort to try and resolve complaints where further escalation is requested. This attempt at resolution is usually through a meeting between a Senior Manager, the complainant, and the Complaints Officer, where the complainant's views are listened to, and dialogue takes place to try and reach an acceptable outcome.

This reporting year several meetings have taken place where the complainant initially wished to escalate their complaints however their view has changed following a meeting.

It should not be assumed that a request to escalate to Stage 2 of the Statutory Complaints Procedure is as a result of a poor response from Stage 1. A complainant may disagree with a Stage 1 response for a variety of reasons and ultimately their view on matters may differ from that of the Local Authority. The Complaints Team continue to work alongside the service areas to ensure a thorough a robust response is provided at Stage 1, which is evidence based and can be used to support the stance of the service should the complaint escalate to a Stage 2.

<b>Service</b>	<b>Number of Stage 2 Independent Investigations*</b>
Assessment & Staying Together	1
Children in Care & Care Leavers	1
Childrens Disability Service	3

\*The Stage 1 Statutory Complaints Procedure

can be lengthy and as such the figures below

may not correspond with stage 1 complaints recorded within this reporting year and may be in respect of complaints investigated during the previous reporting year.

## **Recommendations and Learning from Stage 2 Statutory Investigations**

The below provides a selection of recommendations which have been accepted by the Council following Stage 2 Independent Investigation. It should be noted that out of the six investigations, not all have been completed at the time of this report being produced.

### **Service: Assessment & Staying Together**

A selection of recommendations accepted by the service:

That the Council should remind parents and other participants in Child Protection meetings, both verbally and in its hard-copy information, how amendments in matters of factual inaccuracy are to be proposed and how they will be dealt with.

That managers of the relevant service are reminded that actions recommended at Child Protection Conferences should be completed as far as possible in a planned and measured way, rather than being rushed during a short period.

### **Service: Childrens Disability Service**

A selection of recommendations accepted by the service:

It is also recommended that SCC carry out a review of service provision to ensure that should another such case arise there is clarity as to which service will be responsible to respond to needs of the family involved.

### **Service: Children in Care & Care Leavers**

A selection of recommendations accepted by the service:

Where possible, contingency plans are documented so if placements continue to breakdown there is already a plan B thus eliminating the need for crisis management which may not lead to the best outcome for the young person as key decisions have to be made at short notice.

### Stage 3 Complaints Review Panels

The table below provides an overview of the Stage 3 Panels which have been carried out this reporting year:

<b>Stage 3 Complaints Review Panels</b>	<b>Number of Stage 3 Complaints Review Panels*</b>
Assessment & Staying Together	2
Children's Disability	1

\*Due to the Stage 2 Investigation process being lengthy, these figures correspond with Stage 1 and 2 data from the previous reporting year.

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

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

#### **Service: Assessment & Staying Together**

A selection of recommendations accepted by the service:

In the meeting Panel asked whether the complainant had been given any information in writing about S.47 process and she advised she had received more information from the police than Local Authority but nothing in writing. Panel suggests that consideration be given to creating a leaflet to be given to appropriate individuals at the outset of s.47 process that can be easily referred to going forward. Panel are mindful that information may be provided verbally but possibly in very difficult circumstances when it may be hard to remember details and information afterwards.

#### **Service: Childrens Disability Service**

A selection of recommendations accepted by the service:

In particular Panel feel it would also be helpful for families:

- to be told what an assessment is for and will focus on as well as any decisions that have already been made which will affect this.
- when they can expect to receive the written assessment for their review and comments.
- when families would be informed of any response to their comments and feedback and who would do this.

## Corporate Stage 1 Complaints: Key Themes

### Numbers

There has been an 18% increase in Stage 1 Corporate Complaints comparison to the previous reporting year.

### Timescales

There has been an 8% decrease in the service meeting the timescales to respond to Stage 1 Corporate Complaints.

### Trends

The increase in Stage 1 Corporate Complaints is notably attributable to the Early Help Education service, who have seen a 47% increase compared to the previous reporting year.

### Nature

The main themes of Stage 1 Corporate Complaints were recorded as; delay in EHCP being provided accounting for 35% of complaints, case management accounted for 41% and delay in an Annual Review amendment accounted for 14%.

### Remedies

An explanation and/or an apology account for 86% of remedies for Stage 1 Corporate Complaints.

### 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 which is a trend each reporting year.



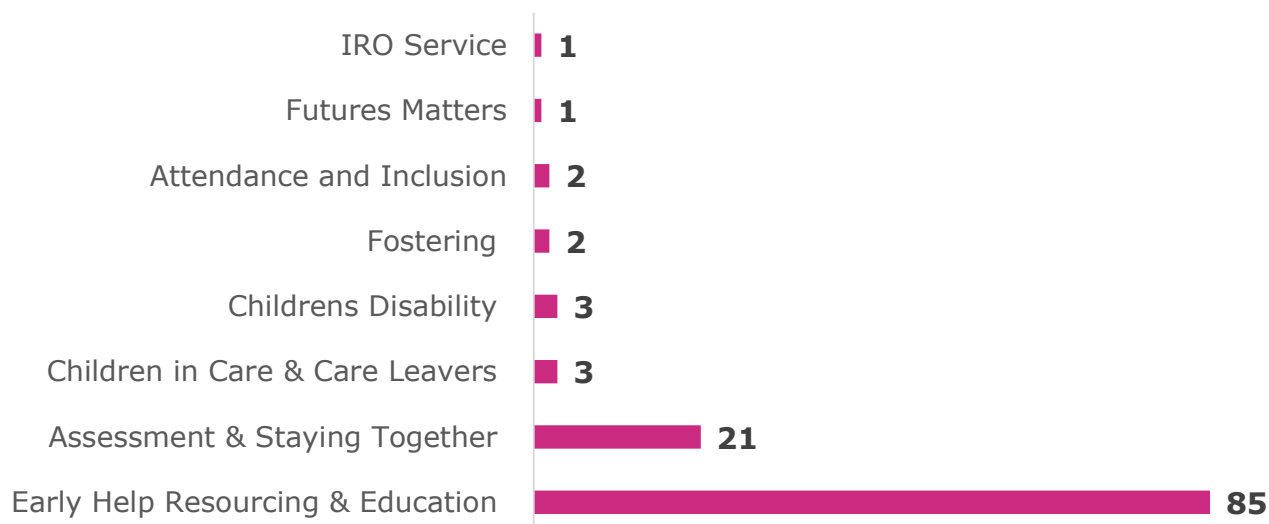
The Complaints Team processed a total of 118 complaints through the Corporate Complaints Procedure at Stage 1. The chart below provides a breakdown with a comparison for the previous reporting year.

Reporting Period	Total
2019/20	<b>169</b>
2020/21	<b>100</b>
2021/22	<b>118</b>

The above data represents an 18% increase in complaints investigated through Stage 1 of the Corporate Complaints Procedure. 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.

### Stage 1 Corporate Complaints by Service

The following tables provide a further breakdown of the 118 complaints investigated at Stage 1 of the Corporate Complaints Procedure:



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:

<b>Reporting Period</b>	<b>Upheld</b>	<b>Partially upheld</b>	<b>Not upheld</b>	<b>Complaint withdrawn</b>
2019/20	22%	30%	24%	-
2020/21	17%	42%	20%	2%
2021/22	22%	38%	32%	8%

\*At the time of creating this report, a small number of complaints remained open/outstanding, therefore these figures are not definitive and may alter should data be requested in the future.

Following a similar trend to Stage 1 Statutory Complaints, this data shows an increase in complaints found to be upheld, however there is also an increase in complaints found to be not upheld. It is the findings of complaints which can provide the most insight and as such, whilst there has been an increase in Stage 1 Corporate Complaints this reporting year, the findings of those complaints show that 70% of these have not been wholly upheld.

### **Timescale 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:

<b>Reporting Period</b>	<b>Within timescale</b>	<b>Over timescale</b>	<b>Complaint withdrawn</b>
2019/20	58%	42%	-
2020/21	61%	34%	5%
2021/22	56%	40%	4%

This data shows there has been no increase in the performance of the service regarding meeting the timescales for complaint investigations. As with the commentary regarding Stage 1 Statutory Complaints, communication needs to be maintained with a complainant should the

timescale not be realistic to achieve. It is hoped that the Complaints Team can work alongside services to improve this figure moving forwards.

### Stage 2 Corporate Complaints – Internal Review:

During this reporting year, there were 26 requests for escalation to 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. 18 requests were accepted for an internal review at Stage 2 of the Corporate Complaints Procedure.

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

Service	Number of Stage 2 Reviews
Early Help Resourcing & Education	15
Early Help Resourcing & Family Support	2
Childrens Disability	1

### Recommendations and Learning from Corporate Stage 2 Reviews:

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

#### Service: Early Help SEND Education

A selection of recommendations identified by the service:

We have undertaken a staffing review within the SEND Service and additional posts have been created to provide enhanced capacity to support the communication exchange with parents and carers. Staff have been reminded of the importance of keeping parents informed of any delays and are asked to explain reasons for any delays to families. We have developed more rigorous reporting systems that allow the Local Authority's Senior Management to monitor our performance in meeting statutory deadlines more closely and to take action to mitigate any delays more swiftly. Since the Local Area SEND inspection, we have been working with our health colleagues to identify areas of improvement to the overall quality of reports and EHCPs. We have subsequently delivered training to a range of multi-agency professionals regarding SMART outcomes and have revised the health service contribution template to further support the use of SMART targets.

The Council is committed to the identification of the special educational needs and/or disabilities of its children and young people, as well as putting in place suitable provision to meet their needs and improve their outcomes. In fulfilling its commitment, a significant transformation is currently underway which will increase the number of SEND Key Workers from October 2021, as well as other changes to the way the Children and Family

services are structures and work. It is anticipated this will address the delays some families are currently experiencing. Please also accept my apologies if you were not contacted to confirm the funding had been extended. Although the setting was aware of this, I do not have evidence that you were told. As a result of this, I will remind the team to log telephone calls or, if for some reason a phone call did not take place as requested, that we are informed so alternative plans can be made.

On behalf of the Local Authority, and the SEND service, I would like to offer a sincere apology for the service that you had received during this period. Communication is very important to me as a manager working for Childrens services. Whilst I cannot change things that have happened in the past, I can assure you that moving forward, the LA will endeavor to ensure that Parents and children are communicated with more effectively. We have recently integrated the SEND service into our Childrens services. Moving forward this will ensure that communication between key workers and families is a priority. I can see that since the Keyworker has been involved with you and your son, and that as a result communication has been much more effective. She has had regular contact with yourself, either through email or phone, and I would expect this to continue moving forward.

### **Service: Childrens Disability Service**

A selection of recommendations identified by the service:

Action was already in progress to manage the issue of the agency not fulfilling the hours. As you are aware the social worker has contacted all known agencies at least twice, with no success. We are continually working with the commissioners to increase the providers and capacity of care agencies. This unfortunately has been adversely impacted by the pandemic leading to a crisis in social care resources. As you are aware, we have offered for the care hours to be provided as a direct payment enabling you to employ a PA.

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

The LGSCO has processed 43 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 is reported as stated by the LGSCO themselves:

<b>Service</b>	<b>Findings</b>	<b>Recommendations / Summary</b>
Assessment & Staying Together	No Fault	The crux of Mr W and Ms X's complaint is their belief the Council has not sufficiently investigated the concerns they have raised. The Council is required by law to consider and investigate upon receipt of information indicating a child is suffering or likely to suffer harm. The evidence seen so far shows in response to Mr W and Ms X's complaints, the Council has launched a section 47 enquiry, interviewed, and made announced and unannounced visits to Ms J and it was Draft decision for your comments 4 satisfied Y is not at risk. The police have also investigated the situation and have not found it necessary to take further action. The Ombudsman cannot

		question the merits of a decision the Council has properly made. There is no evidence the Council has acted with fault in its decision making.
Assessment & Staying Together	No Fault	We will not investigate Mr X's complaint that a social worker disclosed information about his family to other people and was responsible for him being sentenced. The Information Commissioner's Office is better placed to deal with the data matter. We cannot investigate a matter that has been subject to court action.
Assessment & Staying Together	Maladministration and Injustice	There was fault by Staffordshire County Council in its handling of the complainant's approach for assistance with accommodation when she was 16 years old. Within one month of the date of the final decision on this complaint: apologise to Ms B for the identified fault; pay her £1000 to acknowledge the lost opportunity caused by the failure to properly consider and address Ms B's needs for suitable accommodation in 2019 as outlined above and the failure to properly consider her rights under article 8 and her wishes and feelings; pay her a further £500 to recognise the lost opportunity by the failure to adequately assess or address the concerns it states it had for her welfare and safety and to acknowledge this could have left her at risk of harm; pay her a further £250 to acknowledge the frustration caused by the delayed handling of her complaint; and pay her a further £250 to recognise the avoidable time and trouble Ms B was caused in having to complaint to us in order to have the stage 2 and 3 findings and recommendations further considered. Within three months of the date of the final date of the decision on this complaint the Council will provide us with evidence: it has amended the multi-agency protocol reflects the provisions in the statutory guidance in relation to consideration of accommodation for young people who have a partner and that social work staff are made aware of this; it has completed the other actions it agreed it would as an outcome at stage 2 of the statutory complaints procedure; it will ensure that staff are aware of their duty to consider the Human Rights Act and how it applies to service users; it will ensure that social work assessments are clearly dated and signed by the social worker and social work managers so that it is clear when additions are made.
Assessment & Staying Together	Maladministration and Injustice	Mrs X complained the Council failed to follow its own safeguarding procedures correctly when it became involved with her and her family. She also complained the Council failed to progress her complaint to Stage 2 after she asked it to. She said this caused her and her family emotional distress and led her to suffer financial loss. There was fault identified in the Council's management of the safeguarding investigation. The Council has already taken actions to identify the fault, but it has agreed to also provide Mrs X with a £800 financial award. Within three months of the date of the final decision the Council has agreed to provide Mrs X with a £800 financial award in recognition of the avoidable distress and inconvenience caused by the Council's actions.
Assessment & Staying Together	Refusal to Investigate	Mr W and Ms X complained the Council failed to properly investigate safeguarding concerns they raised about Mr W's child Y. Ms X said this left her and Mr W feeling the Council did not take their concerns seriously. Based on the evidence seen there was no fault in the Council's actions.

Assessment & Staying Together	Refusal to Investigate	We will not investigate this complaint about a court report and court costs incurred during legal proceedings. This is because the complaint does not meet the tests in our Assessment Code on how we decide which complaints to investigate. The law says we cannot investigate matters which have been considered in court
Assessment & Staying Together	Refusal to Investigate	We cannot investigate this complaint about the decisions of social workers because the complaint does not meet the tests in our Assessment Code on how we decide which complaints to investigate. The complaint is not separable from matters that have been decided in court.
Assessment & Staying Together	Refusal to Investigate	The Council agreed to arrange a stage three panel to consider this complaint about the Council's children's services. We will therefore not investigate it at this stage.
Assessment & Staying Together	Refusal to Investigate	We cannot investigate this complaint about the safety of Miss X's child. This matter is not separable from those considered by a court that decided where Miss X's child should live. Only another court can change those arrangements and it would be reasonable for Miss X to return to court.
Assessment & Staying Together	Refusal to Investigate	We will not investigate Miss X's complaint about an inaccurate children service's report. It is unlikely we could achieve more than the Council's offer to place Miss X's comments next to the report.
Assessment & Staying Together	Refusal to Investigate	We will not investigate this complaint about safeguarding a child. Who will care for the child and have contact with him is a matter for a court, and the matters Mrs X complains of are or could form part of the court case.
Assessment & Staying Together	No Fault	Miss X complained the Council failed to adequately safeguard her niece Y and did not investigate information she provided indicating Y was at risk of harm. Miss X also complained the Council unfairly restricted access between Miss X's family and Y. Based on the evidence seen there was no fault with the Council's actions.
Children in Care & Care Leavers	Maladministration and Injustice	Miss X complains about the Council's actions in relation to her daughter before and after she entered local authority care. She also complains that the Council has been racist in its communications with her. The Council has accepted fault, but Miss X says its proposed financial remedy is inadequate. The Council has agreed a larger financial remedy. Miss X complains about the Council's actions in relation to her daughter before and after she entered local authority care. She also complains that the Council has been racist in its communications with her. The Council has accepted fault, but Miss X says its proposed financial remedy is inadequate. The Council has agreed a larger financial remedy. The Council has agreed that within one month of my decision it will pay Miss X a further £250 to compensate for the distress arising from its faults and for her time and trouble in bringing the complaint.
Children in Care & Care Leavers	Refusal to Investigate	We will not investigate Miss X's complaint about the Council's children services team not assessing her as a carer for her children. We could not achieve the outcome she seeks as the Court decided the children's care arrangements.
Children in Care & Care Leavers	Refusal to Investigate	We cannot investigate Miss X's complaint about a children services assessment and its views on her. They have been used in Court proceedings



Children in Care & Care Leavers	Refusal to Investigate	We cannot investigate Miss X's complaint about a children services assessment and its views on her. They have been used in Court proceedings
Children in Care & Care Leavers	Premature Referral	Complaint referred for consideration under the complaints procedure.
Children in Care & Care Leavers	Refusal to Investigate	We cannot investigate this complaint about the Council's involvement with the complainant's family. This is because the complaint is about matters considered and decided in court. It is therefore outside our jurisdiction. It is reasonable for Miss X to return to court if she is unhappy with her children's living arrangements. The actions of the Council's staff cannot be separated from matters we have no jurisdiction to consider.
Children's Disability Service	No Fault	Mr C complains on behalf of his son and daughter in law, Mr and Mrs J, that the Council did not provide reasonable options when they applied for a Disabled Facilities Grant for their young child, G. Mr C says G still does not have the adaptations he requires. We do not find fault with how the Council considered the application. It has explored the application and made a decision in line with relevant legislation.
Children's Disability Service	Maladministration and Injustice	Mrs X complained the Council failed to provide her daughter, who has several disabilities, with social care support following her discharge from hospital in July 2020. Based on the evidence seen so far the Council failed to investigate Mrs X's complaint under the statutory children's complaints procedure. The Council should arrange and start a stage 2 investigation under the complaint's procedures within one month of the final decision. It should also make a symbolic payment for the uncertainty and time and trouble this caused Mrs X.
Children's Disability Service	Maladministration and Injustice	The complainant, Mrs X, complained the Council failed to properly consider adaptations for her family when it could not find her a four-bedroom home. The Council says it has offered suitable solutions which the family refused and could do no more when the family withdrew permission to engage with other professionals. We found the Council at fault. It agrees to apologise, pay Mrs X £200 and arrange a meeting to discuss reassessing the family.
Children's Disability Service	Maladministration and Injustice	Ms X complained about errors and delays in the Council's investigation of her complaint about Children's services under the Children's Statutory Complaints procedure. The Council was at fault. It has agreed to begin a stage 2 investigation and pay Ms X £200 in recognition of the frustration caused by poor communication and delay.
Children's Disability Service	Awaiting Outcome	-
Early Help Resourcing SEND Education	No Fault	Mr X complained the Council failed to take his views into account or provide adequate support when drawing up his Education, Health and Care Plan and sourcing a suitable school placement for him. He said this negatively impacted his educational development and caused him stress and upset. There was no fault in the Council's actions.

<p>Early Help Resourcing SEND Education</p>	<p>Maladministration and Injustice (Public Report)</p>	<p>Mrs J complained the Council refused to fund travel costs for her daughter K, to attend school. A Tribunal had decided attendance at that school was not unreasonable public expenditure. And there is no viable public transport route to the school. This means Mrs J has had to arrange her own transport to get K to school. The Council will apologise to Mrs J and K for the faults identified; • pay Mrs J £300 to acknowledge the uncertainty and the resulting upset caused to K and her family by the flawed decision-making process; and • reconsider K's appeal having regard to the issues outlined as fault in this report. If the Council decides K is eligible for help with transport, it should backdate eligibility to the start of the Autumn 2020 term. The Council can deduct the costs the family would have incurred as part of their contribution to the transport costs, as set out in its post-16 transport statement. Within three months of the date of this report, we also recommend the Council take the following action. • Provide us with evidence that relevant staff, appeal decision-makers and panel members have received information about the lessons learned from this case, regarding taking account of travel time. • Audit a sample of 20% of transport applications for the 2020/21 school year for post-16 students who have applied on special educational needs (SEN) or other disability grounds where the Council has refused transport, where it previously provided it. The Council should check it has made a proper assessment in line with the statutory guidance and its own transport statement. It should check whether decision-makers have considered the time it took applicants to attend school. It should consider where there is evidence of a journey taking more than 75 minutes. If there is, it should follow the principles set out in this report. • Following the audit, if the Council finds cases in the sample where the decision was flawed, it should then review all the post-16 students who have applied for transport on SEN or other disability grounds and the Council has refused it but previously provided it for the 2020/21 school year.</p>
<p>Early Help Resourcing SEND Education</p>	<p>Maladministration and Injustice</p>	<p>To remedy the personal injustice to Ms B and X the Council will, within one month of the final decision on this complaint, apologise to Ms B and X for the identified faults and for the avoidable stress this caused; and make a payment of £1800 to recognise the injustice caused by the missed OT, SLT and keyboard provision as detailed above. This calculation is based on a rate of £200 a month for the period from November 2020 to July 2021. This is the lower end of the scale of payments we usually recommend recognising lost provision and is because the OT, SLT and keyboard formed only a part of the overall provision. Within three months of the date of the final decision on this complaint, the Council will take action to address the systemic issues this complaint has highlighted to: ensure that in future it has a mechanism to pursue schools that fail to comply with the provision detailed in an EHC Plan such as happened here and provide us with details of this; and take action to address the apparent shortage of OT providers it uses to ensure it is in future able to meet its statutory duties and provide us with details of how it will achieve this.</p>
<p>Early Help Resourcing</p>	<p>Maladministration and Injustice</p>	<p>Mrs B complained the Council failed to secure the provision in her daughter's Education, Health and Care plan since April 2020. Mrs B says her daughter lost provision and this affected her daughter's</p>



SEND Education		health. The Council was at fault for failing to secure provision and this caused Mrs B and her daughter injustice. The Council will make a financial payment to Mrs B to remedy this injustice.
Early Help Resourcing SEND Education	Maladministration and Injustice (Public Report)	The Council: • failed to review and update C's Education and Health Care (EHC) Plan; and refused their request for a personal budget. We recommend that, within three months of our final decision, the Council: • apologise to C and Ms B; • pay C and Ms B £750 each for the uncertainty, missed opportunities, stress and frustration the delays and missed decisions led to over an extended period; • pay Ms B £300 for her time and trouble in repeatedly having to raise the issues; • refund Ms B £450 for the costs of the OT report she commissioned; and • provide us with an update on what the Council has done to ensure it has met the provision set out in the May 2021 EHC Plan.
Early Help Resourcing SEND Education	Awaiting Outcome	-
Early Help Resourcing SEND Education	Awaiting Outcome	-
Early Help Resourcing SEND Education	No Fault	Mr X complained the Council failed to take his views into account or provide adequate support when drawing up his Education, Health and Care Plan and sourcing a suitable school placement for him. He said this negatively impacted his educational development and caused him stress and upset. Based on the evidence seen there was no fault in the Council's actions.
Early Help Resourcing SEND Education	Awaiting Outcome	-
Early Help Resourcing SEND Education	Awaiting Outcome	-
Early Help Resourcing SEND Education	Awaiting Outcome	-
Early Help Resourcing SEND Education	Awaiting Outcome	-
Early Help Resourcing SEND Education	Awaiting Outcome	-
Early Help Resourcing SEND Education	Awaiting Outcome	-
Early Help Resourcing SEND Education	No Fault	Miss X complained about the way the Council handled her daughter, Y's Education, Health and Care Plan review in 2020, and that it delayed issuing its decision to maintain the plan for six months in 2021. Miss X also complained the Council incorrectly declined school transport for Y and its communication about matters was

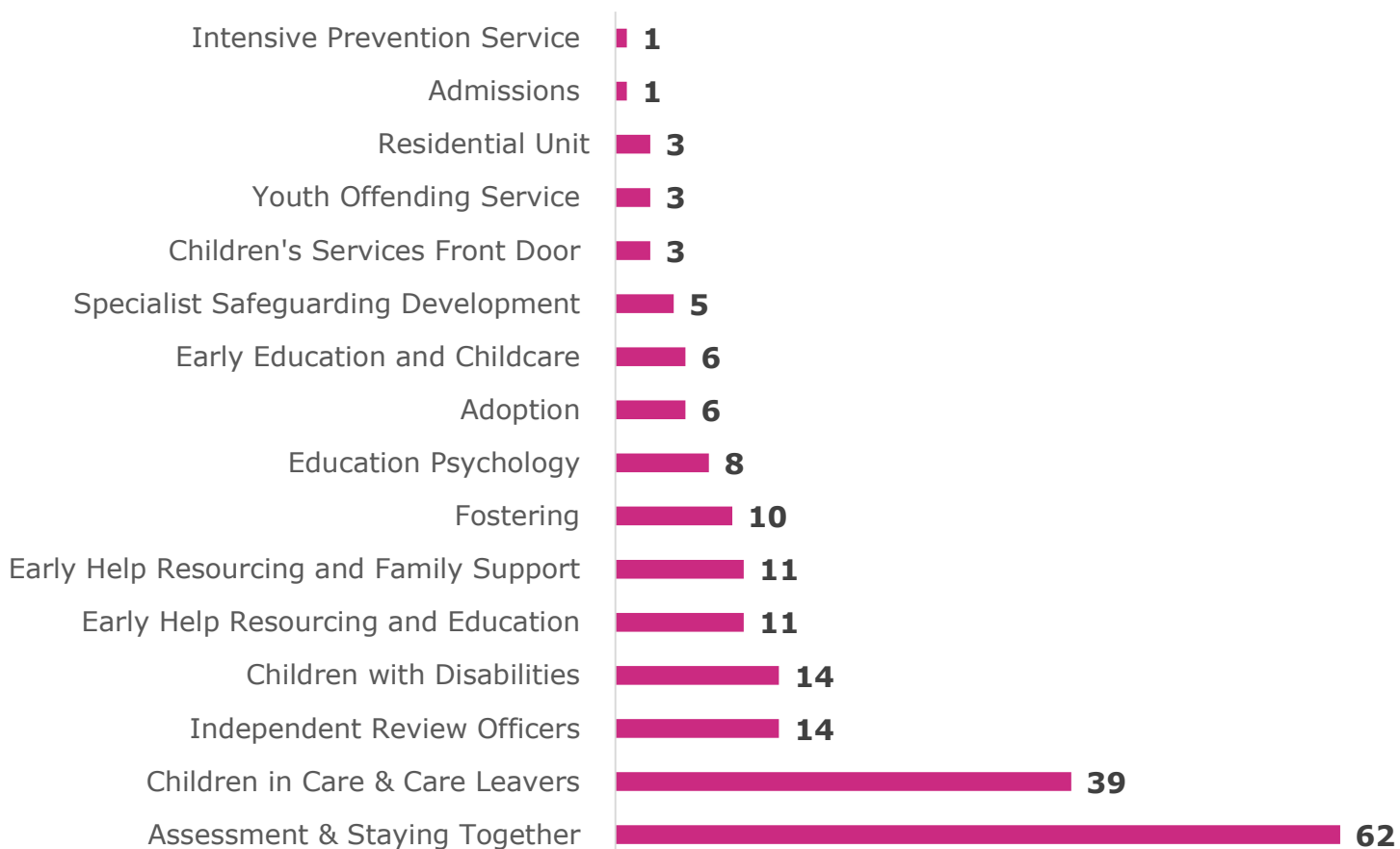
		poor. We found the Council delayed in issuing its decision not to amend Y's Education, Health and Care Plan by 15 weeks, however, it has already remedied the injustice that caused. There was no fault in the Council's decision on school transport or in its communication with Miss X.
Early Help Resourcing SEND Education	Awaiting Outcome	-
Admissions & School Transport	Refusal to Investigate	We will not investigate Mr X's complaint that the Council was wrong to refuse free home to school transport. It is unlikely we would find fault in the process or decision.
Admissions & School Transport	No Fault	There is no fault in the Council's consideration of Ms B's stage 2 appeal against its decision to withdraw free home to school transport for her son.
Admissions & School Transport	No Fault	There was no fault by Staffordshire County Council in relation to its consideration of Ms B's appeal against the decision to refuse home to school transport for her children.
Admissions & School Transport	No Fault	There was no fault by Staffordshire County Council in relation to its consideration of Ms B's appeal against the decision to refuse home to school transport for her children.
Complaints Team	Maladministration and Fault (Public Report)	As the Council closed Miss C's case more than 12 months ago, her complaint is late. However, the guidance says councils should be in favour of accepting a late complaint unless there is a good reason not to. When deciding whether to investigate, the Council needs to show it has considered Miss C's age, any issues of vulnerability, any potential benefit to Miss C of now investigating the complaint, and whether a fair and effective investigation can still take place. The Council's response to Miss C in January 2021 did not evidence it properly considered these factors which is fault.
<b>Total</b>		<b>43</b>

From the 43 complaints which the LGSCO have considered, 24% have reached a finding of fault. It should be noted that a number of matters remain pending further detail and as such the above figure is subject to change. The complaints which have identified fault, shape learning for the Local Authority in the same way that learning identified from all complaints is taken forward. The LGSCO will monitor any recommendations and their case shall remain open until they are satisfied that a proposed remedy has been implemented.

The LGSCO have also considered it necessary to issue three formal public reports this year, this is a high number for Staffordshire however through discussions with other Local Authority Complaints Teams, it appears that the LGSCO are issuing more formal reports nationally which may be to highlight and raise awareness of any trends they are picking up across a number of authorities.

## Compliments

The service has received a total of 197 compliments this reporting year. This is a decrease compared to the previous year; however, this should not take anything away from the achievements of those services who have received positive feedback. The chart below provides a breakdown of the individual services:



Any compliments which are received are routinely shared with senior management, who will offer their appreciation and congratulatory messages to the practitioner and service. Compliments are also shared within a quarterly report which is included alongside the Quality Assurance Newsletter. A selection of compliments are included in the quarterly report along with the reflection of the practitioner concerned, this provides a valuable insight to readers who can perhaps resonate with the way in which a particular practitioner or service have worked, which has resulted in positive feedback being received.

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

### **Early Help Resourcing and Family Support:**

- I just wanted to let you know how supportive and engaging XXX has been in supporting myself and XXX with our play sessions. She has provided so many activities to ensure the sessions are fun and interesting, doing virtual sessions is not easy but anything I

asked her to provide, she embraced.

We could not have done it without her

and just wanted you to know how brilliant she has been.

- We both found her approachable, and friendly, yet professional and able to prioritise the best course of action for the whole family. Just the fact that she acknowledged the other pressures affecting each member of our family was refreshing. Her positive, caring attitude shone through, and her friendly approach and understanding was just what was needed. She then checked how we all were this morning and has arranged to see X again tomorrow. She is a credit to your service, and in the short time we have known her, she has positively influenced our experience of The Early Help Team.

### **Independent Review Officers:**

- I just want to thank you for how you managed the Review Child Protection Conference. For such an emotive case surrounded by a lot of intimidation from Mother, I feel that the meeting was very balanced, Mother's views were listened to, but so were the risks. Thank you.
- I just wanted to express my thanks and appreciation for an amazingly managed ICPC this morning. This is the first time I have had a young person attend, your emotional warmth, diplomacy, communication and organisation are a credit to you, and I hope to attend one of your conferences again!

### **Childrens Disability Service:**

- Thank you from the bottom of our hearts for all the support you have given us this past year you have helped with so much and have been a fantastic OT, thank you as well for making our lives and XXX's a lot easier and more comfortable, we wish you all the luck and wishes.
- Just wanted to let you know how refreshing it has been to meet XXX and now have him part of XXX's case. We have had multiple professionals involved that have come to the home and she normally never gives them the time of day, although she was still like that XXX seemed to find ways to work round that and get a smile out of her in the end. It was also lovely to have a new approach to things and he has opened my eyes to new techniques to get over certain hurdles we face and there has been a huge difference already. We look forward to having his assistance throughout and it's lovely to have found someone that we can be comfortable with and that suits our situation.

### **Assessment & Staying Together:**

- Thank you for your crucial and timely interventions in the case of probable Fabricated or Induced Injury we discussed today. Your proactivity in reviewing the child, robustness in the assessment of her history and clarity around your conclusions and recommendations were all excellent. They have made a significant difference to the decision making and safety of this girl and her brother, for which I and the other professionals involved are very grateful.

- She did everything she could to include us all in as many shadowing experiences as she could (both online and in person) and for this, I am eternally grateful. She has managed to do this despite her very busy caseload – and has always been at the end of the email if we needed help or advice about anything. The whole student year we have had, would have been very different if it wasn't for her. So please accept this as a token of my gratitude– I just wanted to shout out loud about how supportive you have been and the difference that has made.
- I just wanted to email and convey my sincerest thanks for the help I have received during a particularly difficult time. XXX has been an amazing source of support and I would like you to forward my gratitude to her for all she did for me and my son whilst under her care. If it had not been for XXX, I fear it would have taken much longer for me to break free from the abusive relationship I had found myself in. Since contacting your services and the help XXX provided, myself and my son have come on leaps and bounds.
- I cannot praise her enough for the hard work dedication and empathy she has shown XXX and supported me and my family through what can only call the most devastating time in my life. From the start of XXX going off the rails I knocked on every service that was out there and I had given up as all the doors were closed. I tried so hard to help him getting the support he needed. I cannot find the words to thank XXX for all she has done for XXX. He is honestly a changed young man today. He looks to the future and realizes his family love him, and the Social Services sector who we often see in the media are getting criticized.

### Adoption:

- The training was very good; incredibly well delivered, we were amongst a good group & felt we learnt a lot over the 4 days.

### Children in Care & Care Leavers:

- I would like to send a compliment about XXX's practice. Review reports are always detailed and completed with the young person, they are timely, and she will always update me with any changes. It is always apparent that she has the young person centre and is always forward planning well in advance to ensure she gets the best outcomes for the young people she works with. Any actions are always diarized and acted on.
- Throughout the time that I have known XXX, she has been highly professional and has consistently placed the child at the heart of all that she does. She has a wonderful rapport and relationship with XXX and I am grateful that she will continue to be his social worker when he moves on to High School. Everyone who has worked alongside XXX has commented on her personable nature and the child centered approach that she takes.
- Thank you again so so much it will work out because I want it to so bad as does XXX and all of the kids and all my family. But honestly, I think you have made a massive difference to us all as I was saying if there is no connection with the worker then it is kind of setting you up to fail. But I can honestly say I can tell you anything as I did, you seen me at my darkest times, and you were there for me and that I will never forget. An also that is not

being a social worker, that is being someone who honestly cares, and you definitely do care, you're a special person x

### **Education Psychology:**

- I just wanted to say thank you so much for the webinars, I've re-watched them several times as I've worked through literacy cases this term. I have been using your assessment materials and the schools are really appreciating the individualised programs and targets we can put in place as a result.

### **Intensive Prevention Service:**

- Just wanted to email to say what an amazing support XXX has been to both the young person he works with in our academy and also the staff. I have no doubt that he is going above and beyond what is expected of him with his job role. He fully supports us as a school, and it has been an absolute pleasure working with him these past couple of months. XXX not only listens to the child but also the staff and will do his very best in supporting both.

### **Early Help Resourcing SEND Education:**

- I am just emailing because this is our final day in school for this year and I wanted to extend my huge gratitude to yourself and your team. Nothing is every too much trouble for you all and you are always at the end of a phone when we need; I cannot tell you how much we appreciate that. Thank you all for the wonderful work you put in for our pupils. We had our leavers assembly today, and the thought struck me that all of the achievements which our pupils have made, would never have happened if it were not for all of your work. So, thank you all very much.
- After our telephone conversation yesterday, i just wanted to confirm in email how pleased and happy I was with the help and support I received from XXX throughout our EHCP. Nothing was ever too much to ask, and she always kept in close contact and was very reassuring and very prompt without hesitation. I cannot thank her enough for her hard work in getting my daughter's school placement in our school of choice, already my daughter is showing enthusiasm and is happy in her new school. Without a doubt she was the best key worker we had throughout our long journey.

### **Fostering:**

- From the word go with XXX the support that she gave us on the SGO package to help and guide us through has been amazing. She is always there at the end of the phone to support us. The support group she has done are so helpful giving us advice and meet others SGO people and she listens and has always got time to listen to us all and she makes us laugh and picks us up when things get us down. Even when our SGO was taking so long and XXX was took off us for a while she was still there to help. XXX was there to give us fantastic support and get it sorted always keeping up dated and phoned

when she said she would. We would love to say a big thank you to XXX for all you have done for us on our journey, and we know that you will always be there for us.

### **Admissions:**

- I am writing to express my deepest and sincerest thanks for the help one of your team, XXX has given me over the last 12 months relating to my daughter's primary school place. We found ourselves in the stressful situation of trying to secure a primary school place before we had moved to the area. I must have sent XXX about 20 emails asking about different scenarios, and each time she responded with patience, politeness, and professionalism. She really helped us to understand the process, and, to cut a long story short, my daughter is now happily settled in our primary school of choice. I cannot commend her service enough. She is a real asset to your team.

### **Annual Report Analysis and Commentary:**

The data contained within this report shows that there has been a decrease across some parts of the Complaints Procedures, yet this is balanced with an increase across others. Whilst it can be assumed that a decrease in certain aspects of complaints may produce a lower workload, it should be acknowledged and noted that each piece of correspondence which is received by the Complaints Team requires a detailed screening assessment to determine its eligibility to be further investigated. This assessment process is usually undertaken in conjunction with the relevant service area and requires careful consideration, with the risk of being found at fault by the LGSCO if the decision is ultimately considered wrong. The initial assessment process of complaints accounts for a large proportion of administrative time and the Complaints Team wish to express our gratitude that despite the pressures they have experienced themselves this year, staff within the services continue to work closely in conjunction with us and provide their knowledge when called upon.

A new structure across the service with a new management hierarchy has resulted in the Complaints Team making some changes to the way in which we work. A change in reporting methods has taken place, with data being provided on a more real time basis; it is hoped that this method can continue to evolve to encompass valuable data which can be fed down to the services and have an impact on performance management within complaints. The timescales for responding to complaints this reporting year show no improvement however, the Complaints Team would stress the pressures which the services have been under since the transformation, and it is hoped that now the structure is becoming further embedded, that this figure can improve.

Learning from all complainants continues to be a key theme of the work of the Complaints Team. This reporting year has seen the implementation of sharing compliments in a wider sense, through a quarterly learning from complaints report. The focus of this is to emphasise that learning does not solely need to come from complaints and that positive feedback can also initiate conversations across all services. A selection of compliments has been shared within each quarterly report, along with the reflection and views of the individual practitioner. This



reflection has been valuable in providing an insight into the way in which they approached certain situations and how they considered their practice had resulted in positive feedback.

This work will continue throughout the next reporting year, working alongside the Principal Social Worker to ensure learning from all feedback can be disseminated across the service.

Staff are thanked for their cooperation in respect of LGSCO matters this reporting year, in what has been a difficult period in respect of formal public reports being received. It is acknowledged that the LGSCO request a high level of information with rigid timescales to respond by which will no doubt impact the workload of the staff concerned. The Complaints Team will continue to work with the LGSCO to develop further understanding as to their decision-making process, particularly surrounding financial payments.

There is a clear increase in complaints relating to the Early Help Resourcing and Education services this reporting year. When looking at previous Annual Reports, this is a service which fluctuates year on year in respect of complaints recorded. It is appreciated that newly appointed managers within these services may be new to investigating and responding to complaints, and the Complaints Team are keen to offer guidance wherever possible and will continue to develop this working relationship during the coming months.

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

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

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