

Children's Services Complaints, Comments and Compliments

Directorate of Childrens

Annual Report

1st April 2022 to 31st March 2023

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ASS = Assessment Team

CM Pod = Care Management

CIC = Children in Care

EDT = Emergency Duty Team

FAST = Intervention and Prevention Team

ART = Adolescent Response Team

EHCP= Education Health Care Plan

CART= Children Adolescent Resource Team

MASH: Multi Agency Safeguarding Hub

1. PURPOSE

Every Local Authority with a responsibility for Social Care Services is required to provide an annual report into the operation of the complaints and representations procedures.

This report provides information relating to all compliments, statutory and corporate complaints received in respect of Children's Services during the period 1st April 2022 to 31st March 2023.

2. OVERVIEW OF COMPLAINTS PROCEDURE

The procedures for Children's complaints are determined by legislation, predominantly involving the: -

- Children Act 1989, Representations Procedure (England) Regulations 2006.
- The Children & Adoption Act 2002 and Children (Leaving Care) Act 2000.

However, some complaints fall outside the statutory process. This is where the complainant does not meet the requirements to be considered under the statutory process. In these cases, the complaint is dealt with under the two-stage corporate complaint process.

All complaints received are included in this report.

All Children who wish to make a complaint are offered the services of an independent advocate. This is provided by Barnardo's, Telephone 01384 411722, Free phone 0800 1577913, email dudleyadvocacy@barnardos.org.uk. Staff from the Social Care Complaints Team can and do assist children and young people where necessary to ensure details of their complaint are fully obtained and registered.

The Council's website provides full information regarding how to make a complaint. There is also the facility to register a complaint via the website.

Please see following links to Social Care Complaints and Compliments web pages.

Statutory: <http://www.dudley.gov.uk/resident/care-health/children-and-family-care/complaints-and-compliments/>

Corporate: www.dudley.gov.uk/council-community/compliments-comments-complaints

The three stages of the statutory process can be summarised as follows

<p>Stage 1 - Local Resolution: The complaint is investigated by the relevant manager / team. This is overwhelmingly the Stage at which the majority of all complaints are resolved.</p>

Stage 2 – Formal Investigation: This is where the complaint has not been resolved at Stage 1 and the complainant has decided that they want an independent investigation into the complaint.

Stage 3 – Panel: Where Stage 2 of the complaint's procedure has been concluded and the complainant is still dissatisfied, they can request further consideration of the complaint by a Review Panel. Generally, the Review Panel should not reinvestigate the complaints, nor should it consider any substantively new complaints that have not been first considered at Stage 2.

Ombudsman: Once the three-stage statutory process has been exhausted a complainant has the right to take their complaint to the Ombudsman.

The Social Care Complaints Team

The Social Care Complaints Team is part of the Access & Prevention within the Adults Directorate. The team are responsible for the day-to-day operation and management of all complaints received for Children's Services.

A substantial proportion of the complaints received can reasonably be described as complex, requiring significant time and effort from the area of service involved.

The Complaints Team work in partnership with Children's Services managers and offer support and guidance to try to find a resolution that is both appropriate and will provide a satisfactory resolution to the complainant.

The Social Care Complaints Team can be contacted for advice and information regarding making a Complaint, Compliment or Comment on 01384 814724 / 812417 or by email at complaints.socialcare@dudley.gov.uk or in writing to The Social Care Complaints Team, 3-5 St James's Road, Dudley, DY1 1HZ

3. HEADLINES

The following information was extracted from the complaints data base on the week ending 2nd June 2022.

The key data for 2022/23 can be summarised as follows:

There was again a decrease in the total number of compliments received for the period 1st April 2022 to 31st March 2023. A total of **102** compliments were received over 28 teams compared to **132** for the same period the previous year.

All relevant complaint responses that have been upheld or partially upheld continue to be shared with the Centre for Professional Practice who, where applicable, ensure that cases can be analysed, and any learning identified taken forward.

National Ombudsman data and weekly reports are shared weekly with a range of staff who may be able to identify good practice that can be incorporated into the work of the service.

The total number of statutory and corporate complaints received was **234**. This is less than the **271** received during 2021/22 and represents a **14%** overall decrease

It should be noted that Children's Services received **19448** contacts during 1st April 2022 to 31st March 2023, meaning that less than 1.2% of all contacts result in a complaint being raised. Furthermore, it should be noted only 0.37% of all contacts result in a complaint being upheld or partially upheld.

The **234** complaints are broken down as follows:

8 statutory complaints (**27 cases** received 2021/22)

226 corporate complaints (**8% 20 cases**, decrease on 2021/22 when **244** were received)

Therefore, the overall number of complaints has decreased.

The analysis of complaints to ensure they are managed under the correct procedure continues in what is a complex area. The Local Government and Social Care Ombudsman has published a further paper in terms of how to treat Children Services complaints and this, in conjunction with other guidance, will be used in this area of work.

Out of a total of **8** statutory complaints received **2**, were upheld, **25%** and **4** were partially upheld **44%**. This compares to a total of **27** statutory complaints received for the period 1st April 2021 to the 31st March 2022 of which **4** were upheld, **15%** and **6** were partially upheld, **22%**.

Therefore, there has been a decrease in the number of statutory complaints upheld and partially upheld

Out of a total of **226** corporate complaints received **69** were upheld **31%** and **48** were partially upheld **21%**. This compares to a total of **244** corporate complaints received for the period 1st April 2021 to the 31st March 2022 of which **36** were upheld, **15%** and **54** were partially upheld, **22%**.

Therefore, there has been an increase in the number of corporate complaints upheld and reduction in those partially upheld.

Additionally, we have received **7** stage two corporate complaints, broken down as follows

- 2 Assessment Team
- 2 CIC Team

- 1 Care Management
 - 1 Fostering Team
 - 1 SEN Team
- Of these 7 cases only **1** case was upheld

Of the **234** statutory and corporate complaints received **4** of these were from young people which is a reduction from **7** the previous year.

The three main issues arising across all complaints concerned quality of service-support, communication-lack and staff behavior and decision. This is broadly the same as the main reasons for complaints during 2021/22.

22 comments were received.

There has been **1** complaint which has progressed to a stage three review panel.

A total of **9** cases proceeded to the Ombudsman. This compares to **6** cases in 2021/2022. The Ombudsman investigations were regarding the following:

- 1 case Assessment Team 1 – ongoing
- 5 cases in relation to SEND and EHCP - 5 Upheld
- 1 CIC Team 1 - ongoing
- 1 Educational Psychology – LGO informed would not investigate
- 1 Fostering Team in relation to overpaid foster care payments - Upheld

There were no public reports issued against the Local Authority. The Ombudsman may issue a public report if it is decided that it is in the public interest to highlight the issues it has raised.

25% of statutory complaints received a response within 10 working days. This is a reduction on the **44%** for 2021/22. Overall, **90%** of statutory complaints received a response within 20 working days.

48% of corporate complaints received a response within 20 working days. This is a decrease on the 2021/22 performance when **58%** were responded to within 20 working days.

Therefore overall, **49%** of all statutory and corporate complaints were responded to within 20 working days compared to **56%** for the previous year.

Services need to work further to improve response times.

The Complaints Team continues to provide regular reminders and offers support where applicable to ensure as far as possible responses are provided within timescale. Additionally, trackers are produced on a regular basis to highlight to Senior Manager cases either coming up to the response deadline or those that have exceeded it.

Where cases have exceeded timescales, managers are now required to provide and explanation for the delay. The main reasons for the delay in providing responses were:

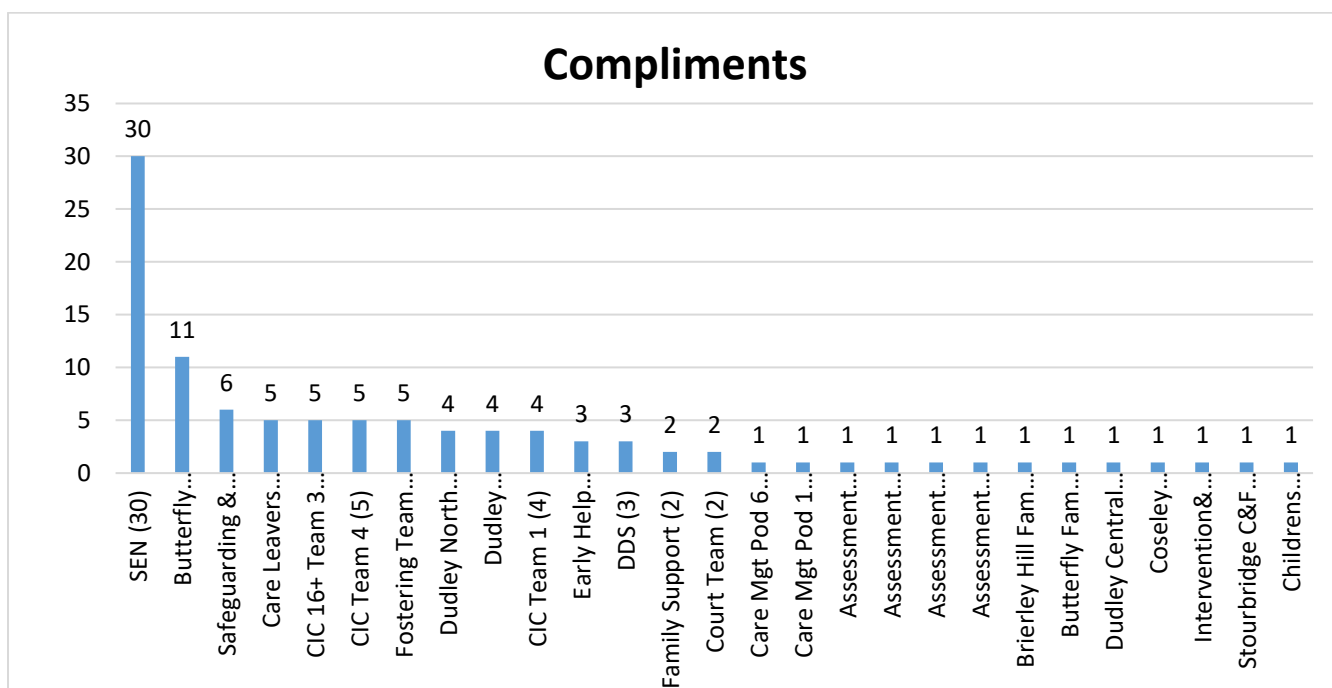
- Staff Absence - 32% (38 cases) of all overdue cases were as a result of this reason
- Complex Cases - 38% (45 cases) of all overdue cases were as a result of this reason.

Other work pressures include, safeguarding, child protection, court hearings

Informal comments: This is where someone may wish to raise an issue without it being a request to formally register a complaint. We recorded **22** such comments this year. Compared to **13** for the period 2021/22 which is an increase of **9 (69%)**.

4. COMPLIMENTS:

The total number of compliments received for the period 1st April 2022 to 31st March 2023 was **102** compliments divided over 28 teams. This compares to **160** for the same period in the previous year. Compliments originate from internal and external sources. Staff are actively encouraged to pass on compliments for registration as they can also be a useful tool for learning, good practice and for staff morale.



The SEND service received the most compliments (**30**) followed by The Butterfly Centre (**11**)

5. EXAMPLES OF COMPLIMENTS

Below are just a selection of compliments received

Assessment Team 1

Words cannot express my gratitude since you came into our lives you have gone above and beyond bringing our family together when hope was all but lost our shining star giving us hope to believe and that hard work can make it happen.

Assessment Team 3

XX has made a huge difference to XX life supporting our family unit for this we are forever grateful.

CART Adolescent Team

What an amazing job and service the team are doing with XX thank you.

Children Always First

XX is the best social worker that XX has ever had thank you for being proactive and being approachable.

CIC (16plus) Team

XX Solicitor and Judge praised the social worker for hard work, help and assistance in this matter.

Dudley North Family Centre

Don't know how to say or even how to say it knowing you have been there for us has made a massive impact fighting our corner and making a difference your magic thank you.

Fostering Team

Since XX involvement in our family things have actually got better, XX arranges meetings with school, support, professionals then chases people up, phones us when she says she will, we were very lucky to have her and will be missed.

Care Leavers Team

XX has supported three long term placements she has been a consistent figure in their lives always willing to help and always at the end of the phone supporting each as an individual when required thank you for all the hard work and support given to each child/adult.

Youth & Community

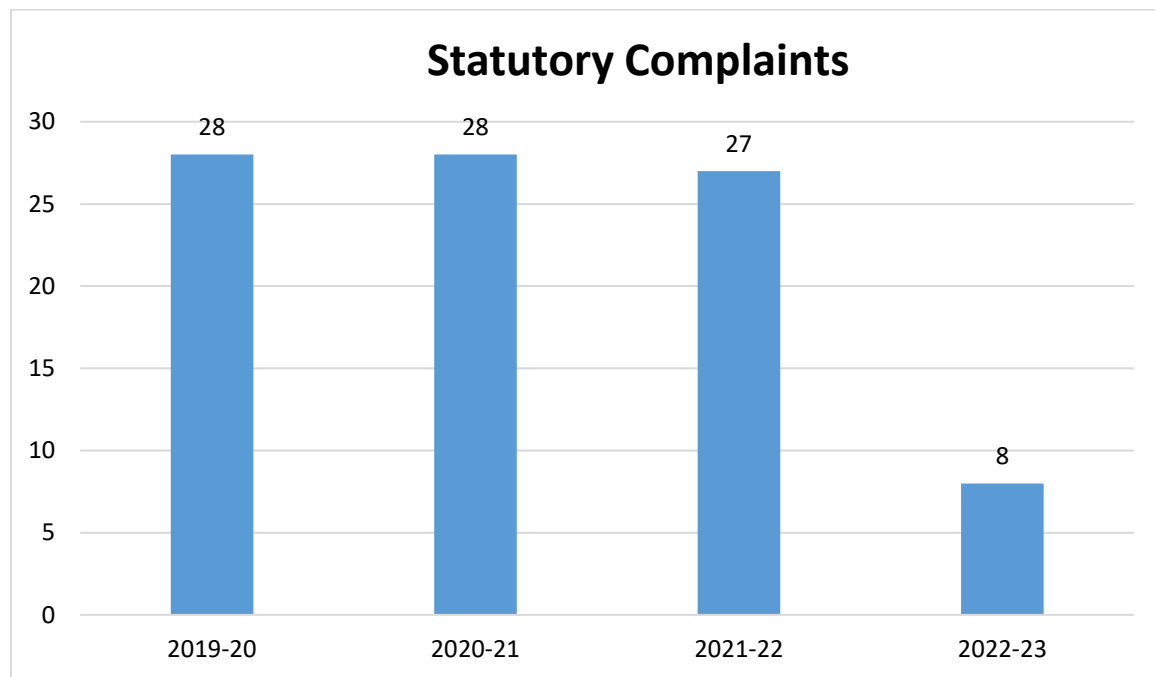
We appreciate everything you have done for XX at school I'd highly recommended you to anyone who needs support always helpful extremely professional and down to earth making XX feel safe and comfortable.

Butterfly Family Centre

XX thanking XX for help and support given at a time of need.

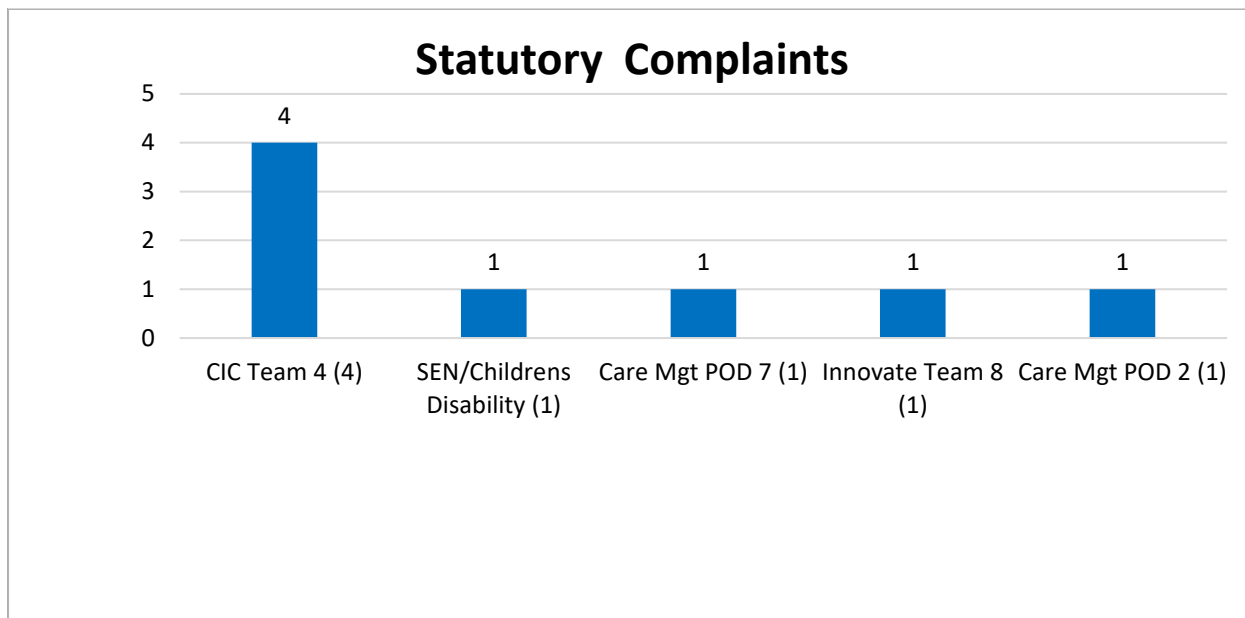
6. STATUTORY COMPLAINT ACTIVITY/SERVICE AREAS

The chart below provides a comparison with regards to the number of **statutory** Children's Services complaints registered over the last 4 years. The second chart shows the service areas against which complaints were registered during 2022/2023.

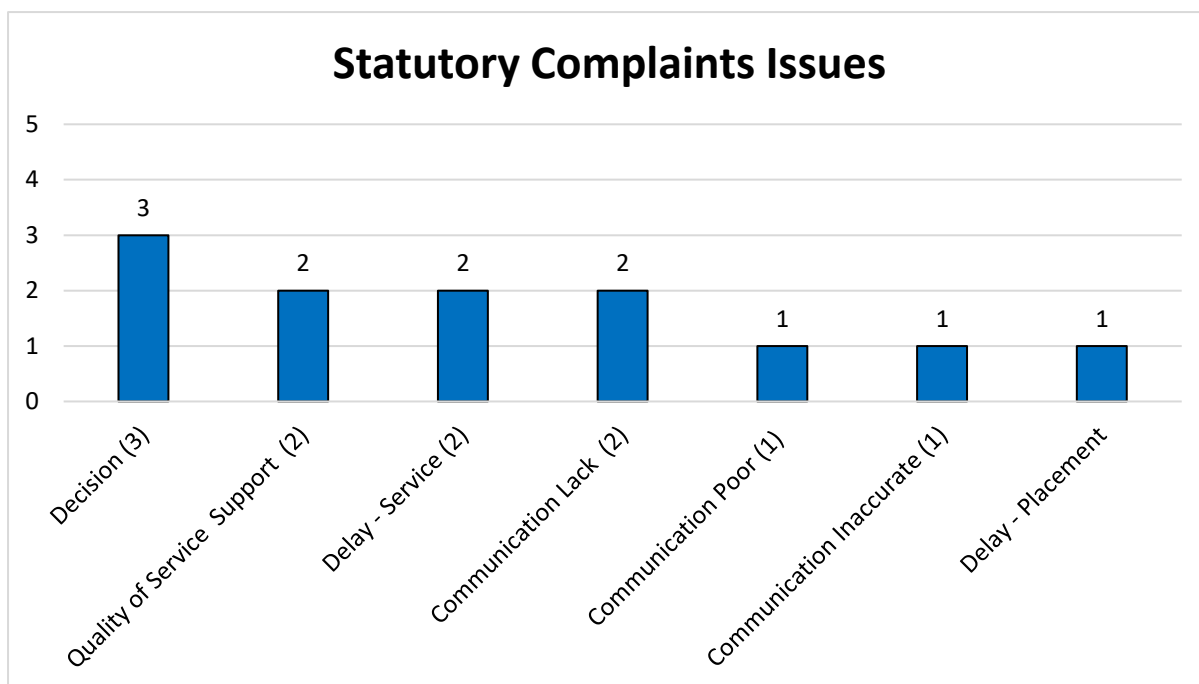


Breakdown of Service areas receiving statutory complaints 2022/23:

The **8** statutory complaints received, during 2022/23 were in respect of the following service areas.



Areas of Complaint: The following chart shows the most common types of complaint issues received for statutory complaints. There have been **12** issues over **7** areas.

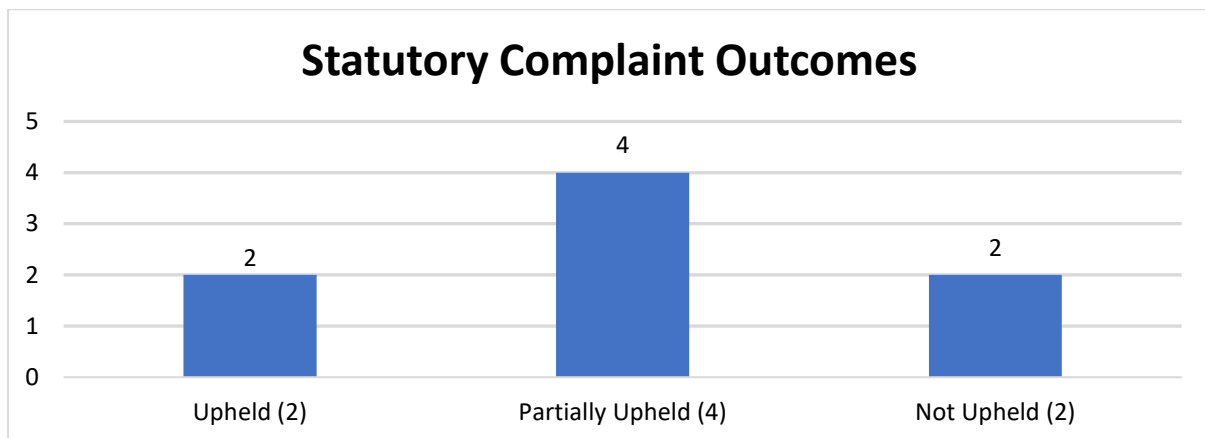


The largest number of issues recorded, were in respect of decision **3**, followed jointly by, Quality of Service Support Delay/Service and Communication/Lack **2**.

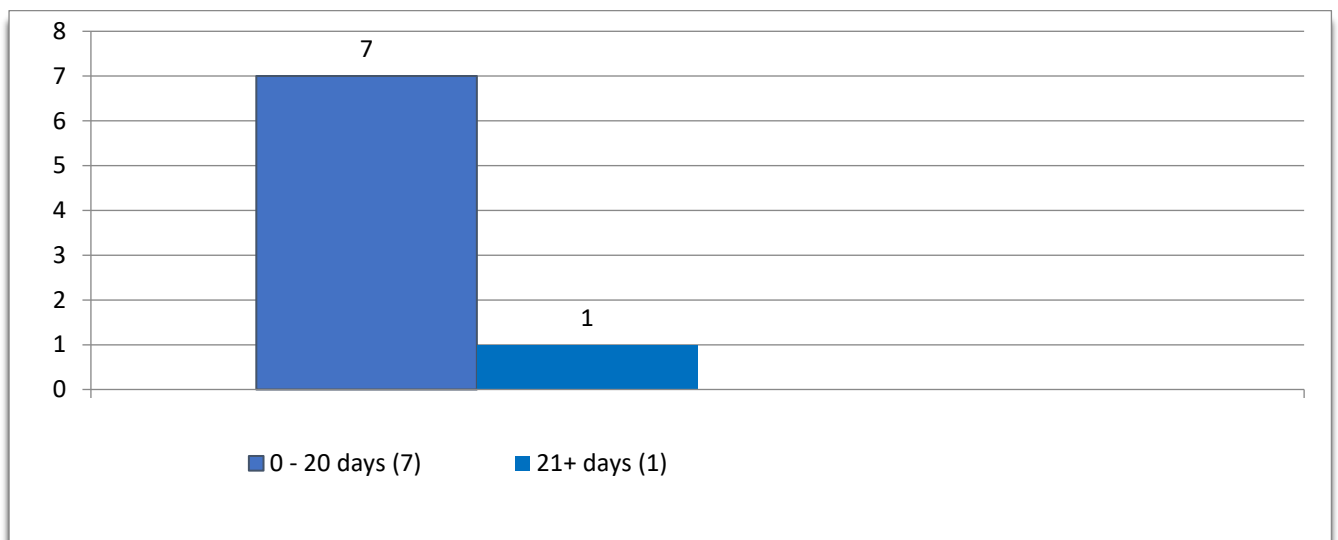
A further analysis of the top three most common areas of statutory complaints has shown that **25%** of complaints were upheld and they were in relation to quality-of-service support, communication and delay.

7. STATUTORY COMPLAINTS OUTCOMES: -

The chart below indicates that for the year 2022-2023, **6 (75%) of all statutory complaints** were upheld or partially upheld compared to **10 (37%)** in 2021/22. This indicates that there has been a significant increase in the number of complaints received, but the number of complaints upheld and partially upheld has decreased.



8. STATUTORY COMPLAINT RESOLUTION TIMESCALES: The chart below shows how quickly complaints were responded to.

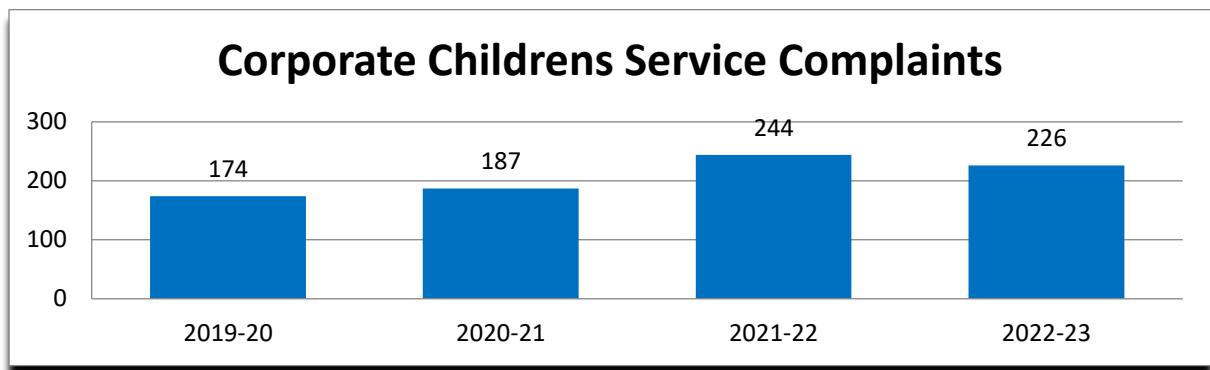


Timescales The statutory timescale for responding to a complaint is 10 working days which can be extended for a further 10 working days.

During 2022/23, **25%** of statutory complaints received a response within the statutory 10 working day timescales. A total of **90%** received a response within 20 working days. This compares to **44%** being responded to within 10 working days in 2021/2022 with a total of **57%** receiving a response within 20 working days.

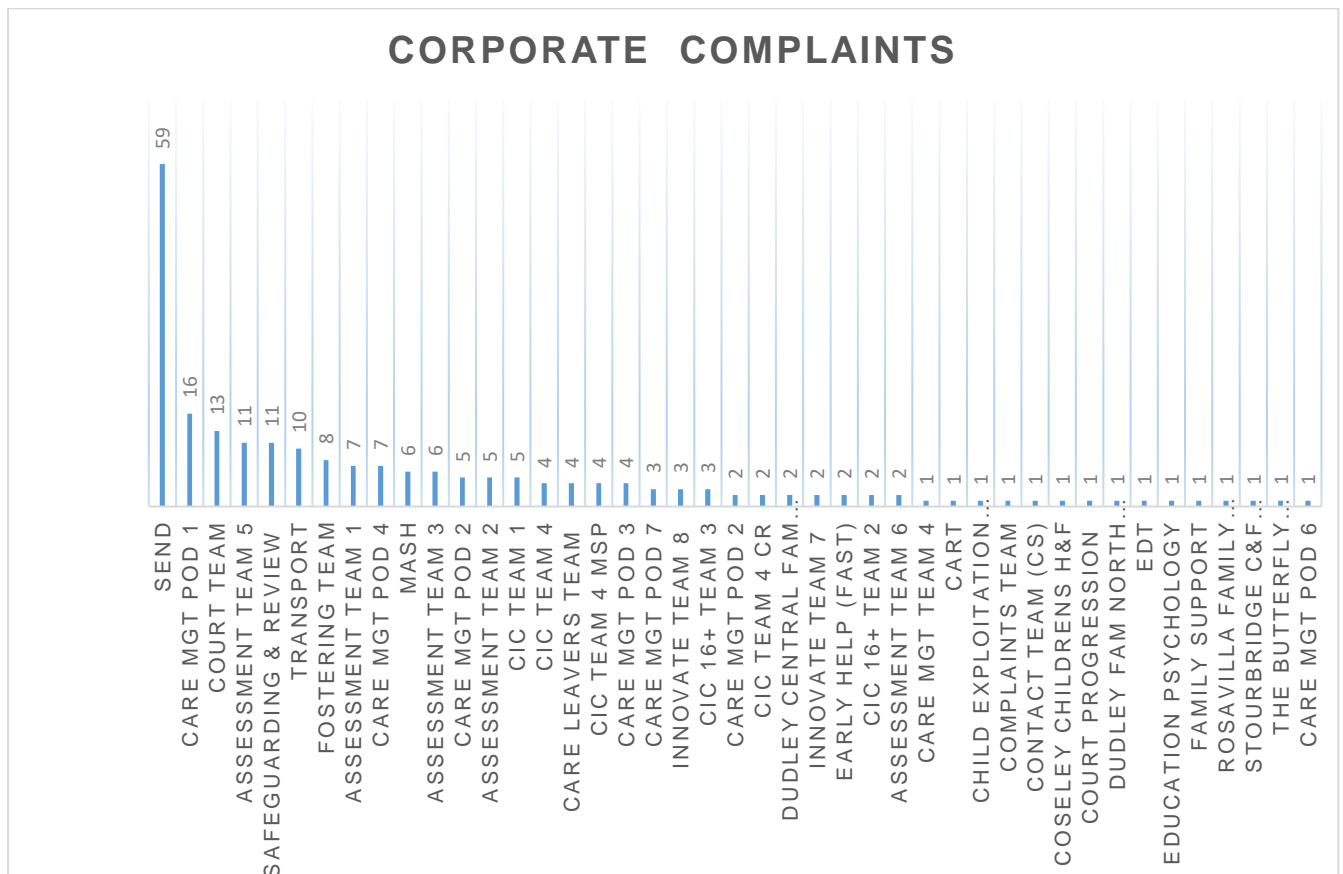
9. CORPORATE COMPLAINT ACTIVITY /SERVICE AREAS

The chart below provides a comparison with regards to the number of **corporate** Children’s Services complaints registered over the last 4 years. The second chart shows the service areas against which corporate complaints were registered during 2022/2023.

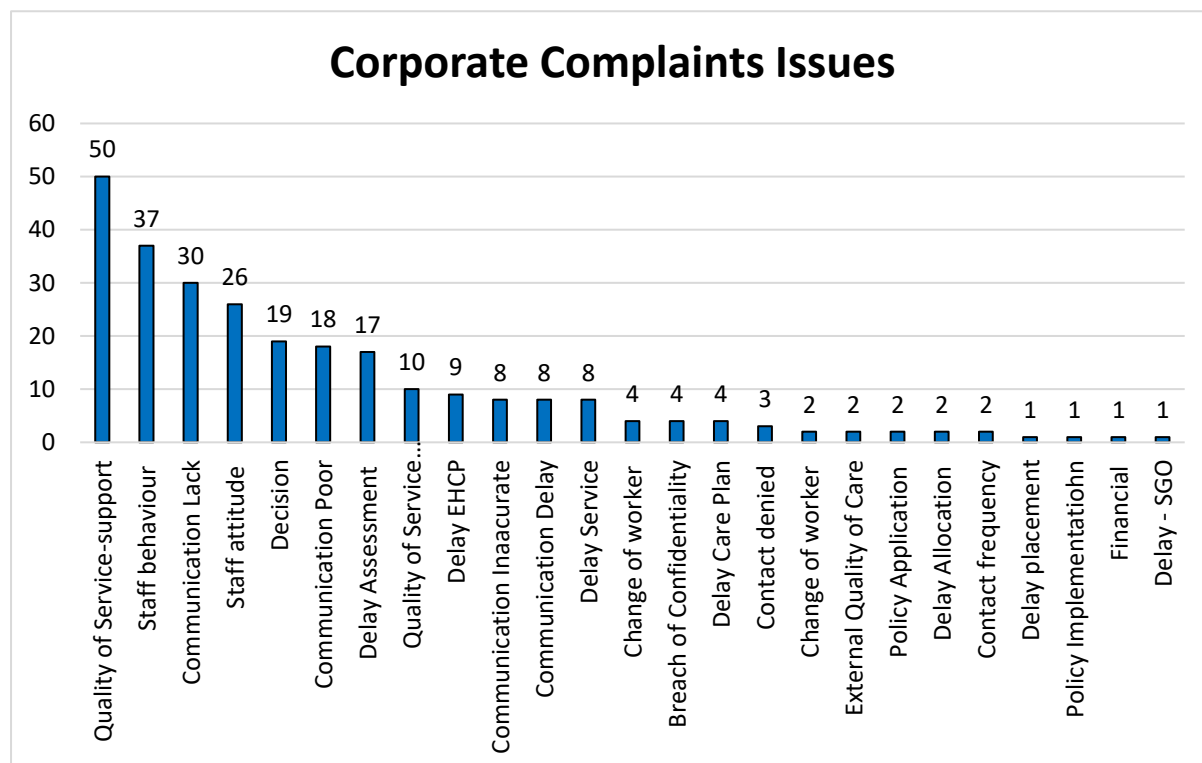


Breakdown of Service areas receiving corporate complaints 2022/23

The **226** corporate complaints received over 44 separate service areas, during 2022/23.



Areas of Complaint: The chart below shows the most common types of complaint issues received for corporate complaints. There have been **270** issues over **25** areas.

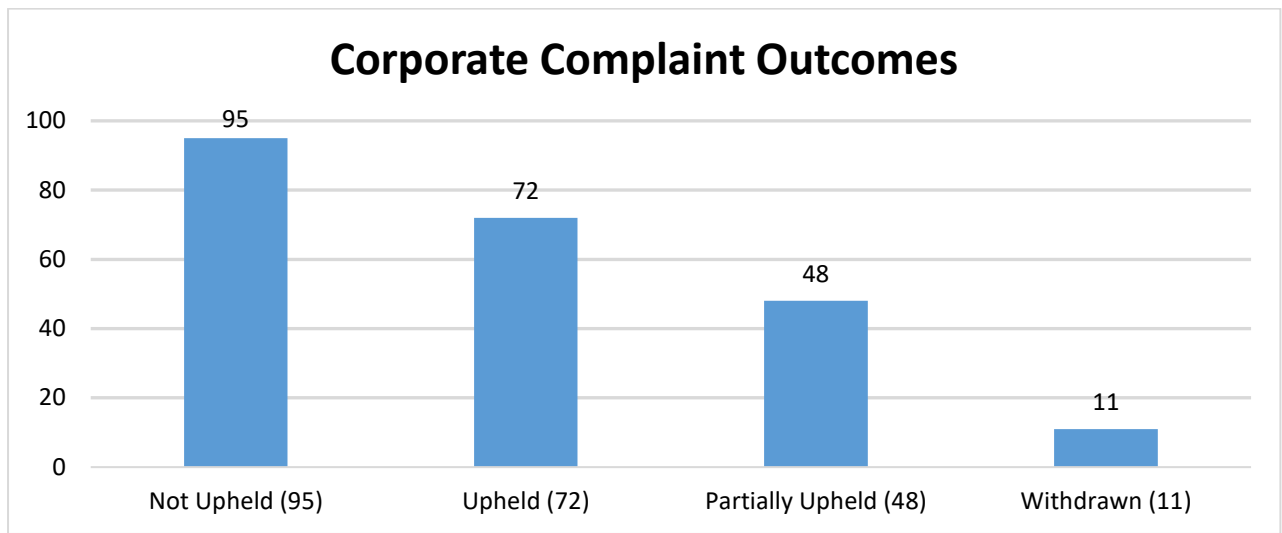


The largest number of issues recorded, were in respect of Quality of Service-support **50**, followed by **37** Staff Behavior, **30** Communication-lack

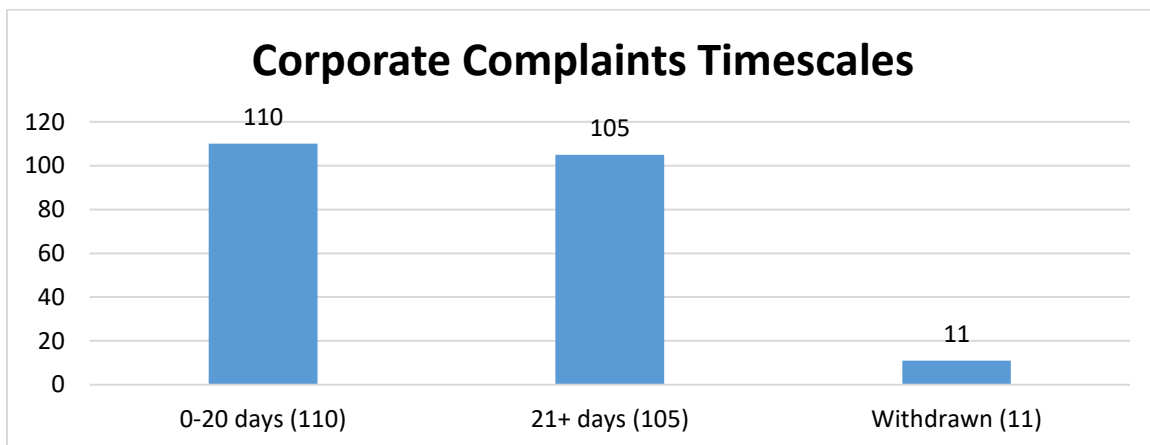
A further analysis of the top three most common areas of corporate complaints has shown that, **28%**, of all complaints regarding quality of service-support, staff behavior and communication-lack were upheld.

10. CORPORATE COMPLAINT OUTCOMES

The chart below indicates that the majority of corporate complaints for the year 2022/23 were not upheld **95 (42%)** compared to **134 (55%)** in 2021/22. This shows that overall, the number of corporate complaints not upheld has decreased.



11. CORPORATE COMPLAINT RESOLUTION TIMESCALES: The chart below shows how quickly corporate complaints were responded to.



During 2022/23, **42%** of corporate complaints received a response within the required 20 working day timescales. This compares to **58%** being responded to within 20 working days in 2021/2022.

Therefore, there has been a decrease in the performance of response times for corporate complaints.

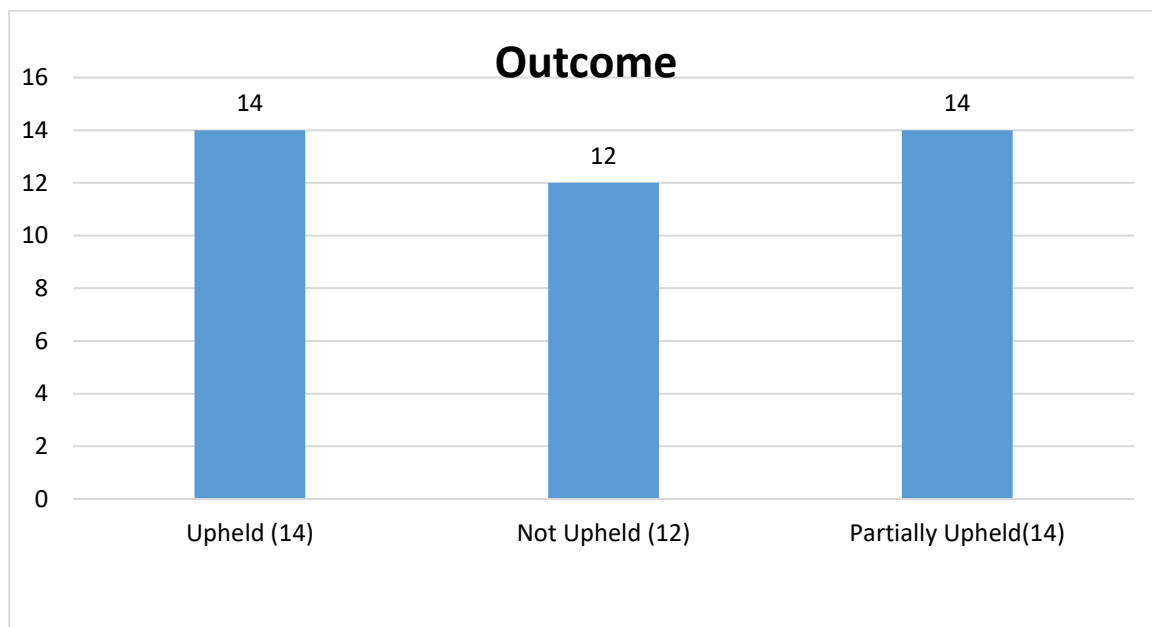
12. COMMENTS

In the period 1st April 2022 to 31st March 2023, **22** comments were received compared to **13** for the period April 2021 to March 2022. A comment is where someone may wish to raise an issue without it being registered as a formal complaint, e.g. query concerning ongoing contact. Comments received by the Complaints Team are recorded, acknowledged and then forwarded to the relevant Team Manager for a response. Comments are monitored in the same way to ensure that a response is provided.

13.SEND

In the period 1st April 22 to 31st March 23, **40** complaints were received during this period in relation to SEND, compared to **44** for the previous period 1st April 21 to 31st March 22 an increase of **30%**.

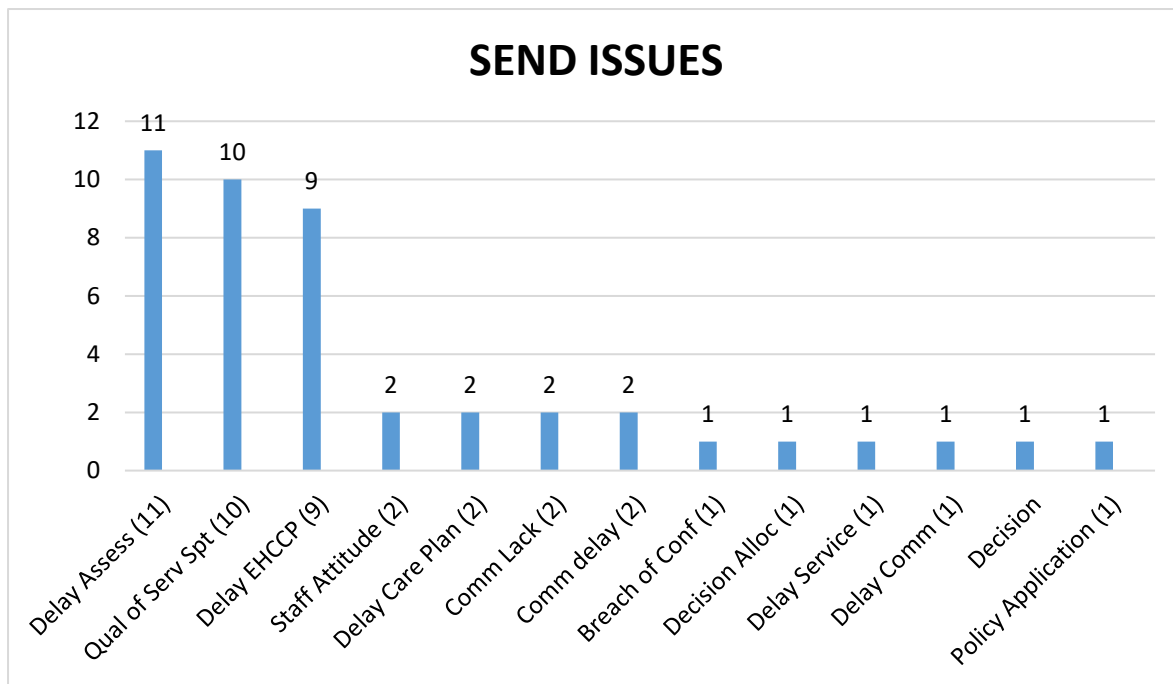
The chart below shows the outcomes of the complaints for the period 1st April 2021 to March 2023



A total of **14 (35%)** of these complaints were upheld compared to **11 (25%)** previous year. The upheld complaints this year related to Delay-assessment, quality of service-support. A further **14 cases (35%)** were partially upheld and these related to the same issues as the upheld complaints. This compares to **13 (30%)** being partially upheld in the previous year.

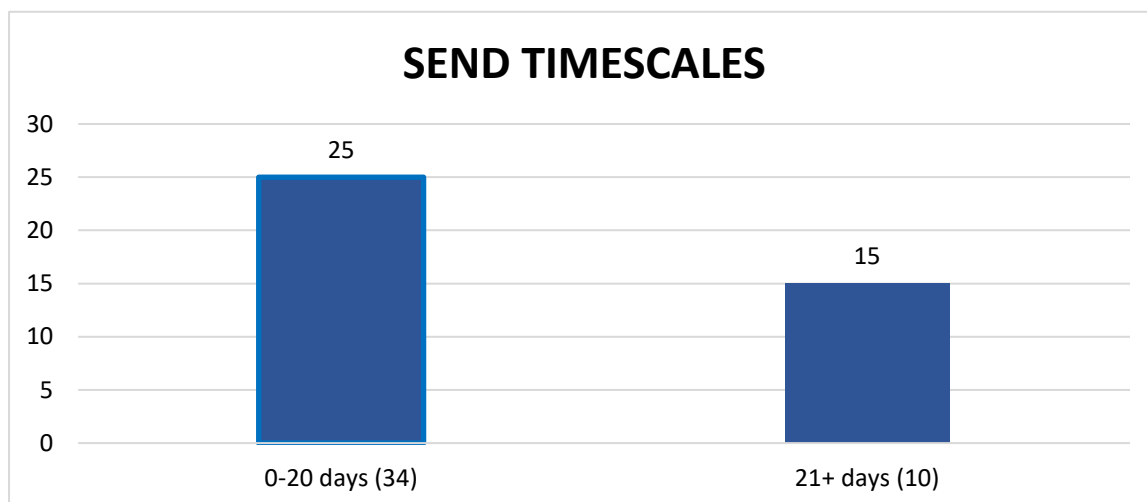
Therefore, the number of complaints received overall has decreased and the number upheld has also increased from 25% to 35%. Partially Upheld complaints have slightly increased from previous year.

The chart below shows **44** issues over **13** separate areas, Delay Assessment **11** being the highest number of which **6 (15%)** were upheld. Comparing this to the period 1st April 21 to 31st March 22 the highest number of complaints related to the delay in producing the EHCP **21**, of which **8 (18%)** were upheld.



The chart below shows the timescales for responding to SEND complaints. The chart shows that **25 (62%)** of complaints were responded to within the 20 working day timescales. For the previous period 1st April 2021 to 31st March 2022 **34 (77%)** were responded to within 20 working day timescales.

This is a decrease in performance on the previous year



Comments

For the period 1st April 22 to 31st March 23 **2** comments were received compared to **2** in the previous year 1st April 21 to 31st March 22. As previously stated, this is where

someone may wish to raise an issue without it being a request to formally register a complaint.

Compliments

For this period 1st April 22 to 31st March 23, **26** compliments were received compared to **42** which is a decrease to previous year 1st April 21 to 31st March 2022

Compliment Examples

XX is not only approachable XX instigated clear systems and procedures for the families she knows

XX has gone above and beyond for our family you have done more than your predecessors and we're grateful for your support don't know what we would have done without you.

Thank you to XX for making a difference and supporting XX and the family.

Ombudsman Cases

There have been **5** cases received for the period 1st April 2022 to 31st March 2023 all **5** cases were Upheld, compared to 1st April 2021 to 31st March 2022 when **3** cases were received, all **3** cases were Upheld.

14. LEARNING FROM COMPLAINTS:-

One of the key objectives in the management of complaints is to identify and learn from complaints, comments and compliments, and to change, review or maintain practices and services accordingly.

Relevant complaint responses that have been upheld or partially upheld continue to be shared with the Centre for Professional Practice. This ensures that these can be analysed and any learning identified and taken forward.

EXAMPLE OF LEARNING FROM COMPLAINTS:

Learning	Complaint	Actions
Training	Staff Behaviour	Action: Reflective discussion around communication with Social Worker. Completed: Yes
Improve Communication/ Procedure	Lack of Communication	Action: Service User calls to be returned within 24 hours unless worker on annual leave.

		<p>Handover discussions between teams and all assessments to be completed outside LCS process to be uploaded to LCS within 72 hours of completion</p> <p>Completed- Ongoing process</p>
Practice	Quality of Service – Assessment	<p>Action We have revisited the importance of clear and concise communication between officers working simultaneously on statutory process for EHC plans that are in the Tribunal arena so that important statutory work is not missed</p> <p>Completed-Yes</p>
Training	Decision	<p>Action: Ensure we revisit decision making with children and young people when care plans have changed during statutory visits and direct work</p> <p>Completed-Yes</p>
Practice	Alleged data breach	<p>Action: Out of office messages to be used when not available with clear return date/time recorded. Specific actions: Reminders via email, Team Meetings, 1-1 meetings and Team Development Days</p> <p>Completed -Yes</p>

Completed by Social Care Complaints Team