

# **Statutory Childrens Social Care Annual Report**

## **Complaints and Customer Feedback**

For the period 1 April 2022 to 31 March 2023



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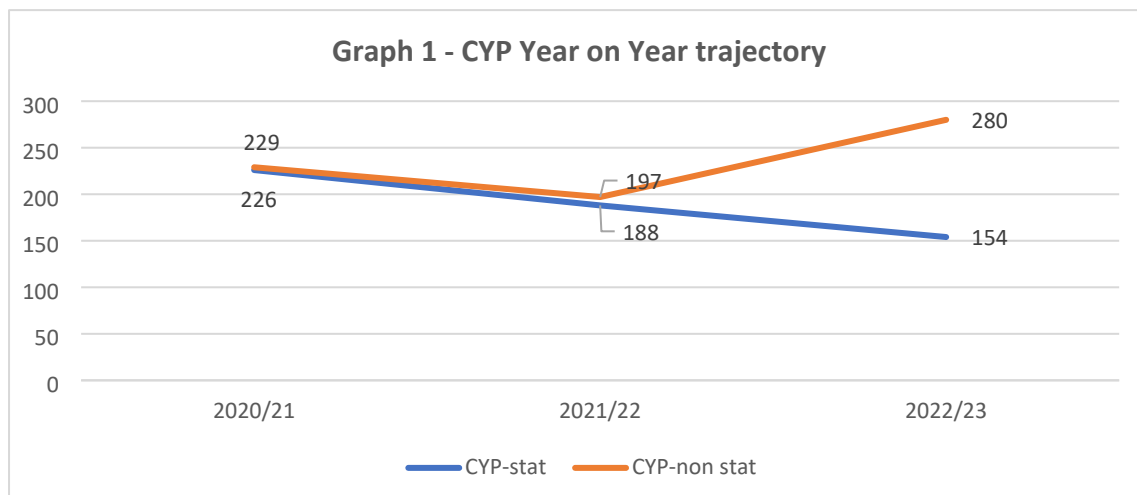


## 1. Executive Summary

Complaints and feedback are used by the council to better understand the needs of our customers and offer an opportunity to learn and improve. As a direct result of complaints in 2022/23 we have improved communication with customers and their families, made changes to policy and processes and staff and managers have attended specific training sessions. Many complaints can be avoided by providing regular communication with customers and by being empathetic, clear, factual, and honest in our interactions, as well as doing what we say we will do.

Graph 1 below shows:

- Statutory children's social care (CSC) complaints decreased by 18% from 188 in 2021/22 to 154 in 2022/23
- Non statutory children's complaints increased by 42% from 197 in 2021/22 to 280 in 2022/23, of which 51% were Inclusion Service complaints.



Only 1% of active cases resulted in a complaint being made. Most complaints are made by parents or guardians. Only 21 complaints were made directly by children. Compliments have increased. However, nationally more complaints are going to the Ombudsman and this trend is reflected in Lancashire. The Ombudsman has changed their investigation process, contributing towards an increase in the average uphold rate across all complaints for all councils.

The total amount spent on external independent investigations for children's complaints was £11,635.90 and a total of £8000 was paid out in final decisions for 2022/23.



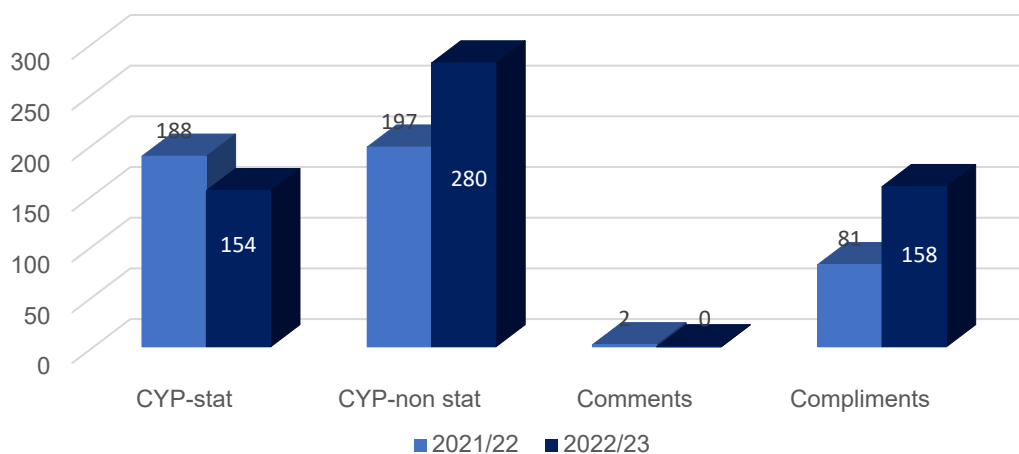
## 2 Background

There is a statutory and non-statutory procedure for complaints about children's and young people's services. The statutory process involves 3 stages for social care complainants, who are eligible to complain. The Stage 1 initial response is always compiled by the service manager involved. If the person complaining is still unhappy, they can request a Stage 2 independent investigation. If the complainant remains unhappy, a Stage 3 review panel, which considers the way the stage 2 was investigated, can be requested. The non-statutory process applies to non-social care complaints (for example education or Special Educational Needs and Disabilities: SEND) or for people complaining about CSC who do not have parental responsibility for a child (for example grandparents). In 2022/23 the total amount spent on external independent investigations for children's complaints was £11,635.90 which is an increase in costs due to more complex investigations.

Graph 2 shows a welcome decrease in closed CSC statutory complaints. Complaints specifically decreased by just over 18%, to make an overall total of 154 for 2022/23. The decrease in complaints is probably because of more direct and open work between families and social care and consequently there are improved working practices.

Most CSC complaints are made by parents or guardians. Only 21 complaints were made directly by children in 2022/23 (just 14%). Complaints made by children are prioritised for immediate attention and advocates are provided to help give children a voice.

Graph 2 - Feedback Type

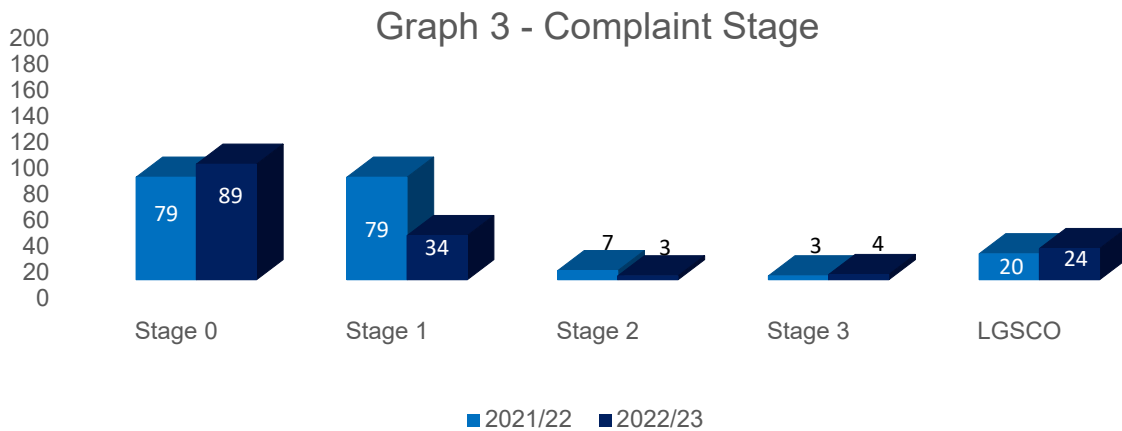


### 2.1 Breakdown of complaints by stage

The breakdown of complaints with outcomes recorded against them can be seen in Graph 3. Stage 0 is the early resolution of complaints.

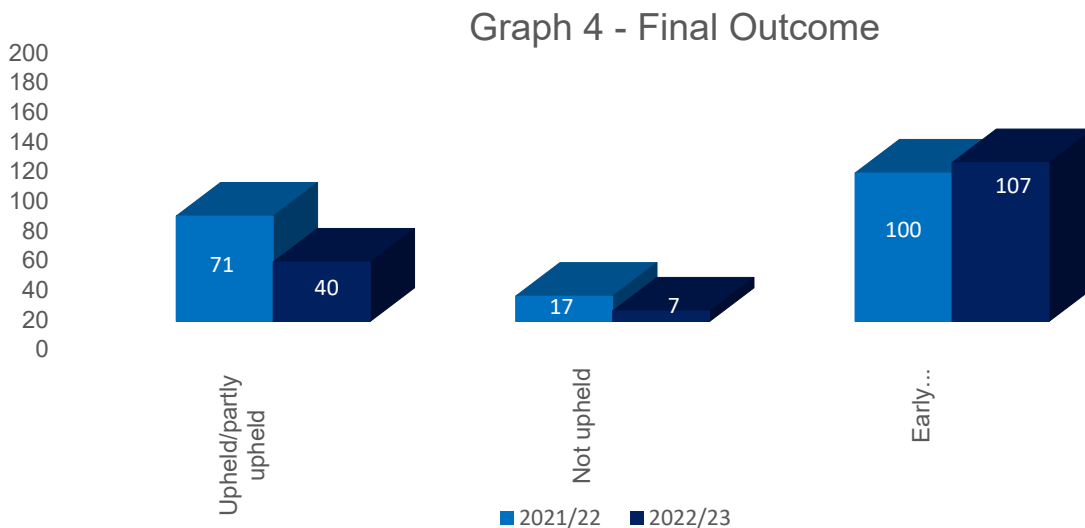


The main differences between 2022/23 and 2021/22 has been an increase in local and early resolution and an decrease in Stage 1 investigations.



## 2.2 Breakdown of complaints by outcome

Graph 4 shows a breakdown of the 154 closed statutory complaints which had a final outcome recorded at the time of writing this report. Of these 5% were not upheld, 26% were upheld or partly upheld and most complaints (69%) were signposted, resolved early or withdrawn.



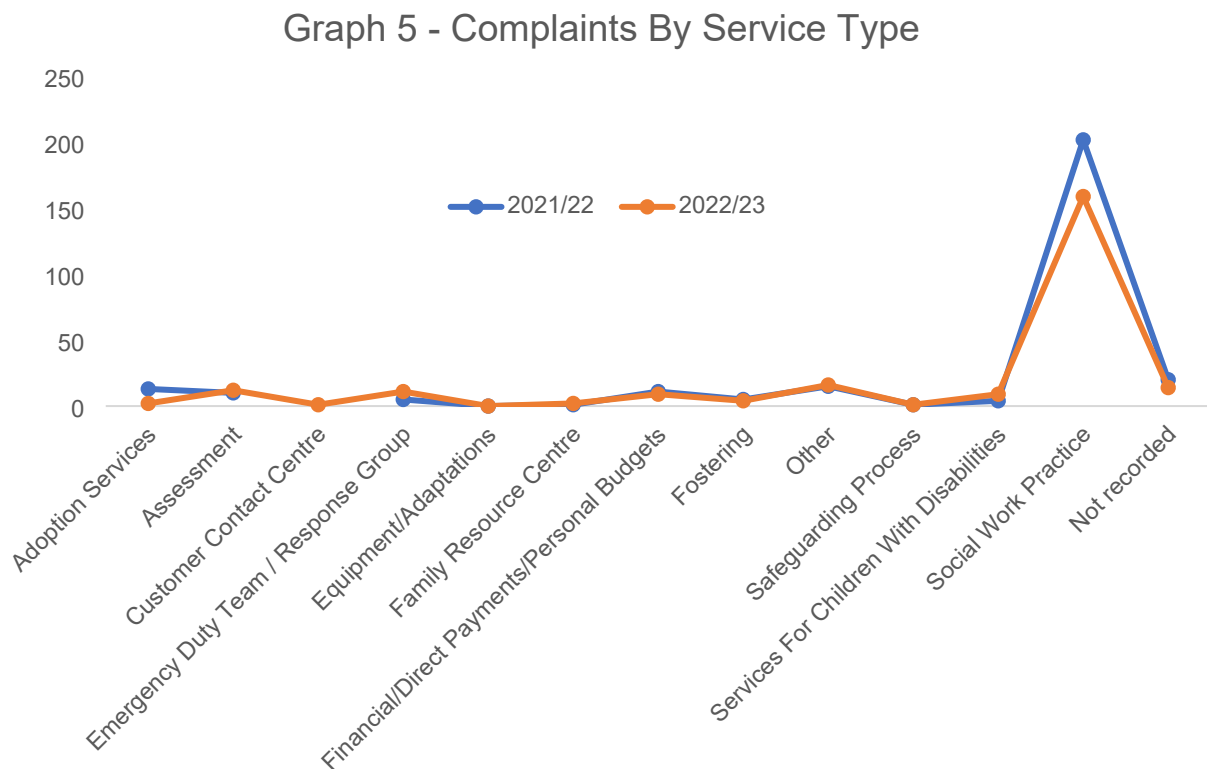
Of the total number of statutory CSC complaints received, 111 exceeded statutory timescales at Stages 0 to 2 (20 working days) which is a rate of 72%. In 2021/22, this was a total of 91 and a rate of 55%. Breached timescales continue to reflect the problem that complaints remain open on the recording system, after earlier stages have been responded to, in case they remain unresolved and need to be escalated to higher stages. For this reason, improvements are being made to the database to be able to



close the record immediately after a response has been issued and then re-open it again if the complainant remains dissatisfied and wishes the complaint to be escalated to the next stage.

### 2.3 What do people complain about in the statutory process?

Graph 5 shows a breakdown by service type for the last 2 financial years. The proportions are similar and social work practice continues to be the most frequent subject of complaint covering 65% of all statutory CYP complaints.



### 2.4 Case Studies

Three examples of case studies are outlined in Appendix 1.

- A complaint by a young person supported by an advocate.
- a corporate complaint by a parent.
- a statutory complaint by a parent.

### 2.5 Internal Learning

The main theme of complaints is communication. Although individual staff and managers have addressed failures in specific situations, improvements remain to be embedded into general customer care practice. As a result, in 2023/24, we will be taking a proactive approach to reshaping our services by launching a 'Customer Focus' strategy to ensure



all staff appreciate the vital role everyone plays in customer care and the escalation of complaints.

We need to continue to embed the strategic lessons of complaints into everyday practice. This means acting promptly when things go wrong and owning the recommendations in reports produced by the Local Government and Social Care Ombudsman to deliver improvements in how we work to ensure that the same mistakes are not repeated.

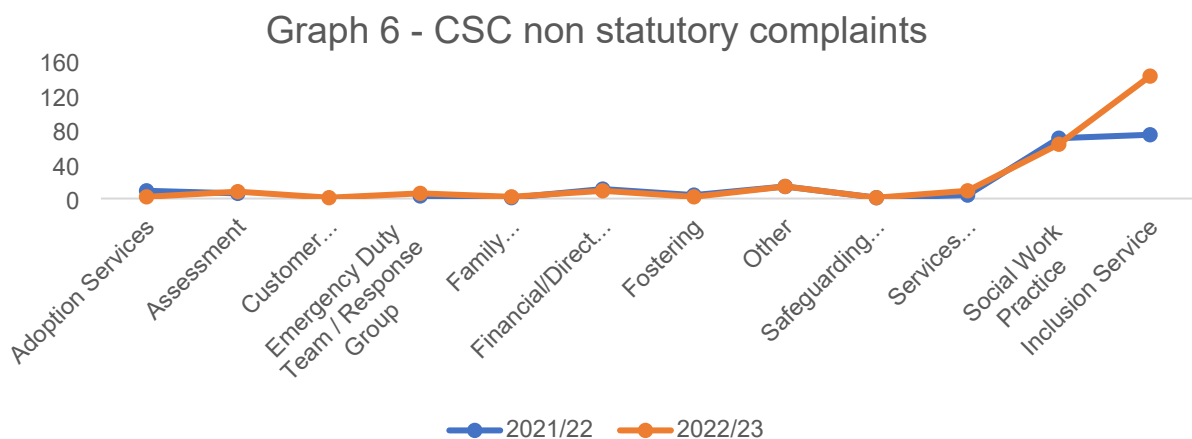
Please see Appendix 2 for details of learning from specific complaints upheld by managers.

### 3 Summary of non-statutory complaints

Non-CSC statutory complaints are made by a people who are **not** entitled to complain under the Children Act procedures (for example a family friend or a relative without parental responsibility) or if the complaint is about something that cannot be complained about under the Children Act (for example adoption or fostering matters/complaints by members of the public: please see further categories below). Complaints about the Inclusion Service are also non-statutory, if CSC is not involved.

#### 3.1 What are non-statutory complaints about?

Non statutory complaints have increased from 197 in 2021/22 to 280 in 2022/23 (as shown in Graph 2). Graph 6 shows that the main theme is the Inclusion Service (followed by social work practice).



Senior managers are informed of the themes and learning on a regular basis through quarterly reporting and regular attendance at team meetings or senior management meetings.

### 4 Compliments

158 compliments were received for CSC in 2022/23. This is almost double the number of compliments received in 2021/22 (81). 61 compliments were received for the Inclusion



Service, which is over 3 times the number for the previous year (17).

Please see Appendix 3 for examples of compliments made.

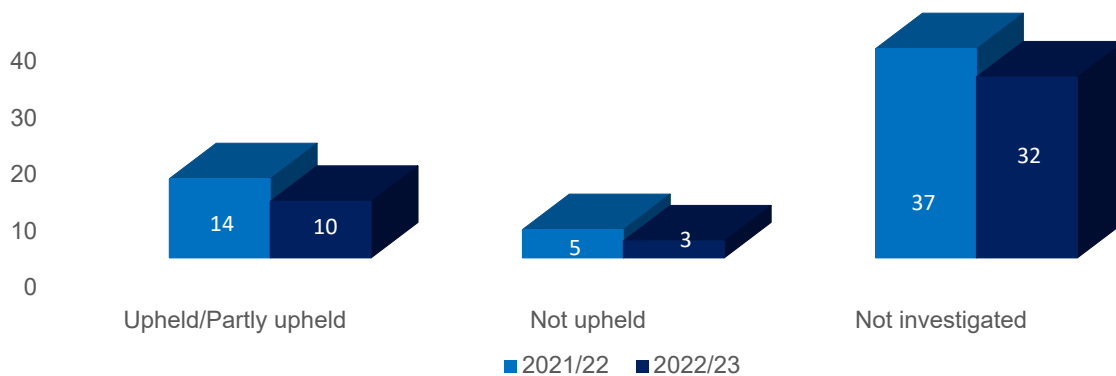
### 5. Ombudsman Complaints

The Local Government and Social Care Ombudsman acts as the regulator and provides the final stage for complaints about local authorities and some other organisations providing local public services. Their service is provided free of charge. Complainants approach the Ombudsman when all other options for pursuing their complaint are closed, after a proportionate response has been provided. The Ombudsman will only consider complaints that have already been through the council complaints procedures. Sometimes the council will make early referrals to the Ombudsman when complainants continue to be dissatisfied and the council considers that it has not done anything wrong or it has done all it can to resolve the matter.

In 2022/23 the Ombudsman received a total of 61 separate enquiries in relation to CSC, Inclusion and Education Services (including school appeals) in Lancashire (in 2021/22 it was 46). A total of 45 decisions were made by the Ombudsman for these services.

Graph 7 below shows of the 45 Ombudsman CSC decisions received in 2022/23, 58% were either not upheld or closed after initial enquiries. The number of enquiries referred back to the council for local resolution represent 20%. Only 22% of decisions were upheld.

Graph 7 - Final Outcome



The Ombudsman will also uphold complaints that the council has already upheld, and of the 10 complaints, 5 had already been partly upheld.

Please see Appendix 1b for Ombudsman identified learning.





A total of £8000 was paid out in final decisions for 2022/23 (which is almost double of the previous year) and does not include the payment for a remedy which remains under negotiation.

There were no public reports in relation to children and young people in 2022/23.



## Appendix 1: Case Studies

<b>Case Study 1</b>	<b>Complaint from a Young Person supported by an advocate.</b>
<b>Complaint Summary</b>	<p>J raised a number of concerns within their complaint which included:</p> <ul style="list-style-type: none"> <li>• The cumulative impact of their experiences is negatively impacting upon them in respect of their emotional development and family and social relationships.</li> <li>• J was unhappy with the Child and Family Assessment completed in November 2022 stating that the Social Worker did not listen and did not record some of the information provided in the assessment despite providing evidence.</li> <li>• J believes that the social worker chose to believe their parents rather than listening to what J was saying.</li> <li>• J was unhappy that they did not have a Social Worker to support them, and that support was not deemed necessary, and options were not discussed.</li> <li>• J requested additional support under section 20 to support them emotionally with the trauma/adverse childhood experiences.</li> <li>• J would like a personal advisor when they turn 18.</li> </ul>
<b>Complaint Outcome</b>	<p>A meeting was held between J, their advocate and social worker and the following actions were taken as a result of this complaint:</p> <ul style="list-style-type: none"> <li>• An apology was provided to J for how they felt.</li> <li>• Previous involvement from social care and the child and Family Wellbeing was explained and discussed with J.</li> <li>• J was informed of current support services in place including support from Crossroads and support within Accrington and Rossendale College.</li> <li>• It was agreed that a further child and family assessment would be undertaken which would consider all J's past experiences and views.</li> </ul>

<b>Case Study 2</b>	<b>Corporate Complaint from a Parent.</b>
<b>Complaint Summary</b>	<p>K raised the following concerns:</p> <ul style="list-style-type: none"> <li>• K contacted social care on 5 separate occasions to request a Child in Need assessment with a disability social worker for K's daughter and a carers assessment for K.</li> </ul>



	<ul style="list-style-type: none"> <li>• K completed 3 Multi-Agency Safeguarding Hub (MASH) assessments over the phone to be told each time that someone would call them back and is still waiting.</li> <li>• KB raised concerns with the difficulty in self-referring for assistance in this matter.</li> </ul>
<b>Complaint Outcome</b>	<ul style="list-style-type: none"> <li>• An apology for the calls not being returned was provided and an explanation of why this occurred.</li> <li>• Action was taken to ensure calls are returned promptly and measures implemented to include an additional layer of social work scrutiny at the transition point between teams and implementing a new call log and response tracker.</li> <li>• Immediate action was taken to open a MASH Assessment to progress the request and contact to be made from a social worker within the next working day to gather the information required to initiate both assessments.</li> </ul>

<b>Case Study 3</b>	<b>Statutory Complaint from a Parent.</b>
<b>Complaint Summary</b>	<p>F raised a complaint about the assessment process and in particular:</p> <ul style="list-style-type: none"> <li>• The social worker was unprofessional.</li> <li>• The social worker arrived 3 hours late.</li> <li>• The social worker asked inappropriate questions.</li> <li>• The social worker visited at inappropriate times.</li> <li>• The need for an assessment was not required.</li> </ul>
<b>Complaint Outcome</b>	<p>As a result of this complaint the following action was taken:</p> <ul style="list-style-type: none"> <li>• A full investigation was undertaken of the case and why the assessment process was started.</li> <li>• We agreed that an assessment should never have been triggered, this was based on information shared by partner agencies, which was subsequently found to be inaccurate through the social worker's enquiries.</li> <li>• An apology was made for the actions of the social worker and re-assurances provided that the worker will be provided with additional support within the team from a more experienced worker, co working with this identified worker, as well as additional input from their line manager and one to one input from a Practice Development Manager.</li> </ul>



Appendix 2(a): Details of Learning

Area	Internal learning point for children’s services
<p><b>Improving relationships with families</b></p>	<p><b>Eight complaints involved the standard of communication between the social worker and the families, learning from complaints resulted in the following actions:</b></p> <ul style="list-style-type: none"> <li>• In several complaints, social workers worked alongside their managers during reflective supervision sessions, to understand the impact on families when arranged visits are missed. In one case the social worker agreed that further communication would be in writing and within a set timeframe to avoid future miscommunication.</li> <li>• The inclusion team used the feedback to focus on better communication and transparency when dealing with complaints.</li> <li>• The complainant was advised that changes have been made within the team dealing with their case to ensure information is shared with both parents on the process of assessment.</li> <li>• Managers reminded staff of the importance of responding in a timely manner as well as bringing to the attention of managers tasks that could not be achieved, so that these could be reviewed by the team during busy periods.</li> <li>• The social worker was provided with additional support from a more experienced worker as well as support from their line manager and one to one input from a Practice Development Officer.</li> <li>• Meeting minutes would be thoroughly checked in future before they were sent out. The independent reviewing officer and minute taking service would work together to ensure minutes are sent out promptly.</li> <li>• Managers sent a note to staff to highlight the difficulties and process to follow in relation to decisions to be made by young people when they become homeless.</li> </ul>
<p><b>Reflection, training, and improvements to social care provision</b></p>	<p><b>Complaints provide services with the opportunity to reflect on outcomes to inform training and development sessions with staff, either in supervision or formal training sessions to improve service delivery to families.</b></p> <p>Fourteen complaints identified further training and development needs through one-to-one reflective supervision sessions.</p>



	<ul style="list-style-type: none"> <li>• In one, the worker considered the importance of statutory compliance, communication, and the impact of practice upon children and families. Training was provided through the Practice Development Team. In another complaint, training and guidance alterations were made to reflect the complainants' concerns. A further complaint resulted in a review being undertaken with the social worker to ensure that the complainant is aware of all family time arrangements between the complainant and the children and invited to all meetings.</li> <li>• Feedback from one complaint resulted in the whole team undertaking training. One of the sessions focussed on the importance of compliance with statutory timeframes. As a direct result of another complaint, a development session was held for workers to develop their understanding of the Special Guardianship Order process and the associated financial implications. In another, additional training regarding setting up payments was provided to staff members.</li> <li>• Another outcome resulted in all staff concerned being briefed on the importance of completing passport applications in a timely manner for children who are in care.</li> <li>• In another complaint, the worker refreshed their Information Governance training and attended additional Information Security Awareness training. Another outcome resulted in the incident being recorded and investigated in line with the council's Information Security Incident Management Policy. Team managers also raised the issue of confidentiality in team briefings to ensure all workers are aware of their responsibilities when handling personal data. Another complaint highlighted an issue with the sharing of information sharing and this was fully investigated, and training was re-visited.</li> </ul>
<p><b>Communication</b></p>	<p><b>Communication is often at the centre of many complaints. All complaints resulted in further discussions being held with the workers within one-to-one reflective supervision sessions to identify improvements to communication between services and families. Specific aspects include:</b></p> <ul style="list-style-type: none"> <li>• The impact of delays in communication with young people and families were discussed with several workers and</li> </ul>



	<p>sometimes the teams concerned, to improve contact and respond in more timely ways.</p> <ul style="list-style-type: none"> <li>• The worker apologised and agreed to return calls to the service user as soon as possible in the future.</li> <li>• The team manager listened to the call with the social worker and reflected that although it was not intentional, accepted that their delivery could have been a bit abrupt. The social worker has taken points raised for on-going learning.</li> <li>• The manager worked with social worker to consider the impact of their 'frank' conversation with the family and ways of delivering difficult messages more sensitively.</li> </ul>
<p><b>Reviewing and improving processes, policies, and procedures</b></p>	<p><b>Several complaints identified organisational learning opportunities to several policies and procedures. Specific improvements include:</b></p> <ul style="list-style-type: none"> <li>• The "staying put" policy was reviewed. Managers ensure that their teams are familiar with this policy and implement the procedures in timely and effective ways.</li> <li>• Delays in receiving assessment outcomes were considered as part of the team's service plan.</li> <li>• A revised transfer policy and a new procedure was implemented as it was recognised that the previous procedure was causing some delay.</li> </ul>



**Appendix 2(b): Ombudsman identified learning.**

The main learning from upheld social care and education complaints is as follows:

SEND managers have developed a strategy in the form of an action plan for the outstanding provision in a child's EHC plan. They have also reviewed how they monitor EHC provision is in place and evidence how they will ensure they do not repeat the faults identified in this case. Furthermore, staff have been reminded, through appropriate training, of our non-delegable duty to secure the SEN provision set out in Section F of a child's EHC plan.

We unreasonably refused school transport for a child. We have reminded officers who assess transport eligibility of the requirement to consider the availability of school places at the point that places were allocated for the school application in question when determining the nearest suitable school.

We did not follow the statutory children's complaint process when we considered a complaint about post-adoption support. We have reminded staff members who consider statutory complaints procedure of the timescales set out in the statutory guidance, specifically in relation to providing a final response.

Mr and Mrs P were unhappy with the Council's response to their complaint about funding adaptations to their home. We are now properly considering their request, obtaining any further information necessary and providing Mr and Mrs P with a written decision explaining our reasons for any support offered. We are also considering whether improved procedures or guidance are needed for assessing potential special guardians.

We did not appropriately consider a complaint about support for a foster child. We undertook a stage 2 investigation and also reviewed our complaints handling procedures to ensure that all final responses direct complainants to the Ombudsman if they remain dissatisfied.



## Appendix 3: Compliment examples

### Children's Social Care

*I wanted to express my gratitude with regards to the ongoing support I have received from your team, and in particular SE.*

*As you know, last week I began a new role acting up as Detective Sergeant in X's absence. SE has been superb in aiding my transition – her knowledge and understanding of children relevant to police investigations and associated legislation surrounding the care of these children is outstanding. SE's ability to explain processes, procedures, and options available to help safeguard children from a Children's Social Care perspective has ensured that I fully understand how to perform my role more effectively and collaboratively, ultimately resulting in us providing the best care for those who need it most.*

*I want to thank SE for her continued efforts – she clearly goes above and beyond to ensure she provides an exceptional service for the children who unfortunately come into contact with our teams. SE – thank you! Don't ever stop being you!*

### Short Breaks

*Evergreen has literally been a lifeline for our family and we have felt supported and welcomed by the whole team. Our son loves attending his sessions and we know he will have lots of fun and be well looked after. We are so grateful for the respite that has already been provided to our little boy and can wholeheartedly say the care he has received and the break we have benefited from during this time has really kept our family together and made our day-to-day caring life and tasks more bearable and manageable.*

### Quality Assurance Inspection and Safeguarding

*I just wanted to email to compliment a member of your team. After experiencing a rather unpleasant phone call earlier in the week, I was absolutely overwhelmed by the kindness and helpfulness of the lady I spoke with today. She was incredibly helpful and supportive. Her advice helped me tremendously and I wanted to let you know. Please could you pass this onto her manager. I am incredibly grateful.*

### Child Protection/Children in Need Family Safeguarding

*I have worked with K on a case for over two years. I can honestly say she is one of the best social workers in Pendle and I have worked with many. She has always been professional, competent, reliable and consistent. What she plans always happens, her analysis, management of risk and ability to balance the positives and assess accordingly is second to none. She established good working relationships with the parents which proved positive and enabled change. I cannot praise K enough; I've been a social worker and Team Manager in the past and would have loved a team of workers with K's ability.*

### Front Door, Assessment and Adolescent Services





*DE worked with my son LG who is autistic and has ADHD and complex needs. DE led the way with great professionalism and good leadership skills. She made sure she contacted all necessary agencies and got as many on board as possible. She was very driven and focused.*

### **Inclusion**

*I wanted to express my heartfelt gratitude for all the invaluable help you provided in securing M's admission to B School. Your support and guidance throughout the entire process were truly instrumental, and I cannot thank you enough.*

*From the moment we embarked on this journey, you demonstrated an unwavering commitment to M's educational well-being. Your knowledge of the school system, familiarity with admission procedures, and attention to detail were invaluable resources. Your efforts to gather all the necessary documents, fill out applications, and coordinate appointments with the school's administrators were truly remarkable.*

