

NORTH LINCOLNSHIRE COUNCIL

**CHILDREN AND FAMILIES
CABINET MEMBER**

**CHILDREN'S SOCIAL CARE SERVICES STATUTORY COMPLAINTS,
COMPLIMENTS AND REPRESENTATION REPORT – ANNUAL REVIEW 2019-20**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To present the Children's Social Care Services Statutory Complaints, Compliments & Representation Report – Annual Review 2019-20 in line with statutory requirements

2. BACKGROUND INFORMATION

- 2.1 There is a legal requirement to present an annual report on representations and complaints, received about services delivered under the Children Act 1989. The annual report is attached at Appendix 1.
- 2.2 These statutory procedures confer on service users, or representatives acting on their behalf, the right to make representations about services. There is a requirement that local authorities address these representations through a three-stage procedure for complaints for social care services for children.
- 2.3 The first stage is an internal review carried out by a manager; the second stage is an investigation conducted by someone who is independent of the council and the third stage is a panel review whose members are new to the case. The guidance specifies the timescales for dealing with complaints at each stage.
- 2.4 During 2019-20 there were 27 statutory stage 1 complaints about Children's Services, which represents 3% of open cases. This is 25% fewer complaints than the previous year. The report provides further information on the complaints received together with the findings and outcomes.
- 2.5 After the council's complaints process has been completed, the complainant has a route of appeal to the Local Government and Social Care Ombudsman if they remain dissatisfied. Three complaints were escalated to the Local Government and Social Care Ombudsman and

none were investigated by the LG&SCO. This compares to 6 complaints in the previous year, of which 1 was upheld. A report on the findings of the Local Government and Social Care Ombudsman's Annual Review Letter 2019-20 will be considered separately by the Resident Engagement and Rural Partnerships Cabinet Member later in the year.

2.6 The service uses complaints findings to inform service development and improvement. The report provides an overview of the actions taken as a result of complaints information and demonstrates an overall positive direction of travel for complaints handling.

2.7 We will share the report with partner organisations.

3. OPTIONS FOR CONSIDERATION

3.1 Option 1: To receive and approve the Children's Social Care Services Statutory Complaints, Compliments and Representation Report – Annual Review 2019-20.

3.2 Option 2: Not to approve the report.

4. ANALYSIS OF OPTIONS

4.1 Option 1: Approving and publishing the Children's Social Care Services Statutory Complaints, Compliments and Representation Report – Annual Review 2019-20 for Children's Services will meet our statutory duty.

4.2 Option 2: Not approving the annual report will not meet our statutory duty.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 As set out above, there is a legal requirement to publish an annual report.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 None

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 An integrated impact assessment has not been undertaken as this report presents a summary of findings from complaints that have been investigated in line with statutory requirements.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 None

9. RECOMMENDATIONS

9.1 That the Children's Social Care Services Statutory Complaints, Compliments and Representation Report – Annual Review 2019-20 is received and approved for publication.

DIRECTOR: GOVERNANCE AND PARTNERSHIPS

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Background Papers used in the preparation of this report –

Children Act 1989

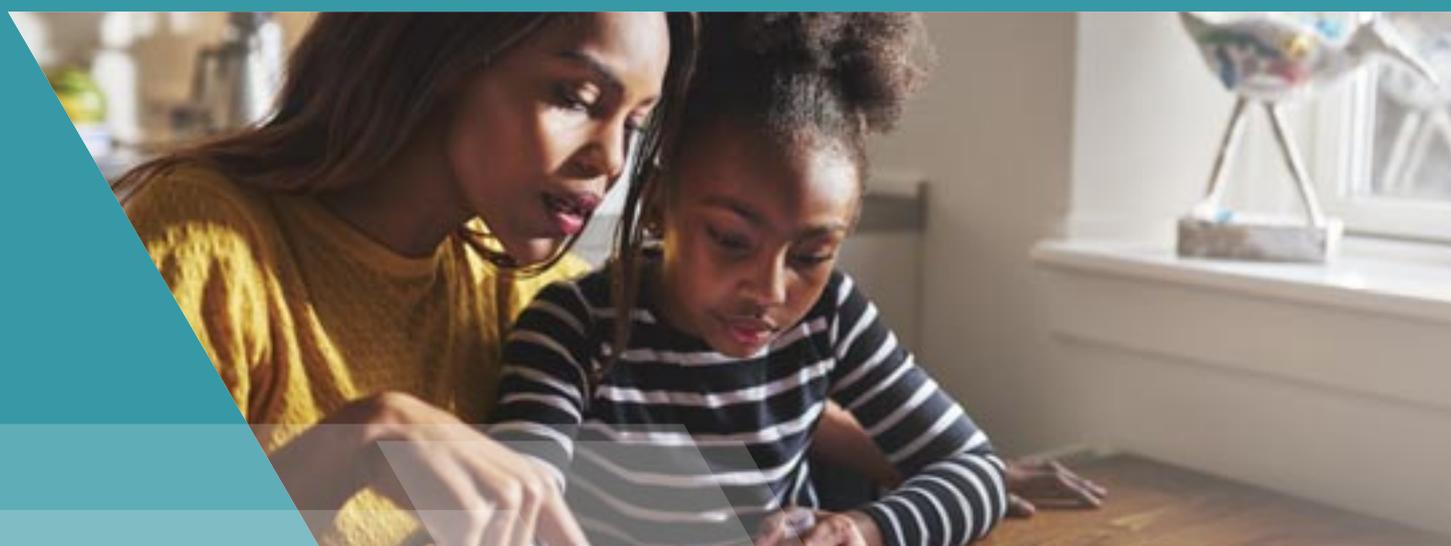
Children's Social Care Services Statutory Complaints, Compliments and Representation Report – Annual Review 2019-20

Local Government and Social Care Ombudsman's complaints 2019-20

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North Lincolnshire Council
**Children's Social Care Services
Statutory Complaints,
Compliments and Representation
Report**

Annual Review 2019-20



**North
Lincolnshire
Council**

Introduction

This is the 2019-20 Children's Social Care Services Statutory Complaints, Compliments and Representation Report, which has been addressed under the terms of: The Children Act 1989, Representations Procedure Regulations (England) 2006.

The report is set out as follows:

Introduction and Executive Summary

- ▼ Section 1: Background
- ▼ Section 2: Compliments Received
- ▼ Section 3: Summary of Complaints
- ▼ Section 4: Statutory Timescales
- ▼ Section 5: Complaints by Complainant Type
- ▼ Section 6: Complaints by Finding & Issue
- ▼ Section 7: Local Government and Social Care Ombudsman
- ▼ Section 8: Reporting and Monitoring
- ▼ Section 9: Conclusion



Executive Summary

The key highlights for 2019-2020 are set out below:

▼ A wide range of compliments regarding the quality of service were received from service users, families and other representatives in 2019-20.

▼ 27 complaints were received at stage 1 of the complaints process, compared to 36 complaints in the previous year. This represents a decrease of 25% and is the lowest level of complaints received in the last 3 years.

▼ 8 out of 10 complaints were not upheld, which is the same as in the previous year.

▼ 8 out of 10 complaints were answered within 20 working days, as permitted by statutory guidance. In the previous year all complaints were answered within 20 working days.

▼ 5 complaints were considered at stage 2, compared to 7 complaints at stage 2 in the previous year.

▼ There were no complaints received at stage 3, which is the same as in the previous year.

▼ The complaints represented 3% of service users, which remains relatively low, and is the same percentage as in the previous year.

▼ The Local Government and Social Care Ombudsman received 3 complaints. In the previous year the Ombudsman received 6 complaints.

▼ We believe that the reduction in complaints at all levels is due to our focus on early Restorative Practice to resolve complaints informally, where possible. This has been key in their effective and expedient resolution.



SECTION 1 Background

This report provides a review of the compliments and complaints for statutory Children's Services for the year 1 April 2019 – 31 March 2020.

The scope of the report is in respect of complaints that have been received under the terms of the 'Children Act 1989, Representations Procedure Regulations (England) 2006'.

The Children Act 1989 places a duty on all councils to establish and publicise a procedure for the consideration of representations and complaints made to them about the services provided by them under the Act;

- ▼ Family support services.
- ▼ Services for children with a disability.
- ▼ Care and protection of children and young people.
- ▼ Services to care leavers.
- ▼ Adoption and special guardianship orders.

The report makes extensive use throughout of feedback received, as well as insight and learning from services.

The complaints procedure is designed to make sure that issues of concern to service users or their representatives are responded to without delay and without unnecessary complication. It alerts the Local Authority to any issue requiring change, or where there is learning, for the benefit of children, young people or families. As such, it is an important part of the learning and improvement framework.

Since last year's report we have continued our commitment to strong engagement with people and in particular to strengthen our informal resolution practices. We have embraced the Restorative Practice approach and during the very early stages of a complaint, we have increased our face-to-face meetings with a complainant. We feel that the 25% reduction in complaints is due to this approach in complaints handling.





Some complaints received do not meet the criteria to be dealt with under the statutory process. When this is the case, these are processed through the council's general complaints process.

We want anyone who is involved in the process, in whatever capacity, to have confidence in it; **the principles of the procedure are therefore that:**

- The procedure is easy to use and understand.
- Complaints are dealt with in an objective, open manner.
- The complaint is subject to a thorough scrutiny.
- The process is led by the complainant.
- People involved in the process will get the support they need.
- The process is focused on finding solutions.
- The service is open to learning from the complaints raised.

This procedure will ensure that:

- Concerns are taken seriously.
- Complaints are dealt with promptly and effectively.
- There is a full response and a clear outcome for complainants.
- Complaints are dealt with fairly and even handedly.
- Those involved in the process, complainants, the representatives and staff, are treated with dignity and respect;
- There is equality of access and standard of service for all complainants with particular consideration for those people who may find it more difficult to use the process e.g. younger children, people with disabilities, those whose first language is not English.

Complaints can be made by children and young people on their own behalf, by parents or carers and by any other person that the child wants to represent them, or who has a sufficient interest in the welfare of the child.

The key principles of the complaints procedure are that it is accessible, transparent and fair.

The complaints procedure is regarded as another means of capturing the voice of the child and the family. Whilst it is always hoped that the need to make a complaint would not arise, it is recognised that there will be occasions when, despite best efforts, services do not meet expectations of the people who use them. In those circumstances the complaints procedure offers a framework for hearing what people think of their service, for resolution of concerns and for learning about our service provision.

The council recognises that it is not always easy for individuals to make a complaint so advice and, where required, support is made available.

Children and young people have the assistance and support of the children's advocate if they need it.

Complaints offer the opportunity to look in detail at areas of provision and at practice. In so doing they provide the opportunity to learn about what is working well and also about where services can be developed and improvements can be made.

There are 3 stages in the statutory complaints process, as follows:

STAGE 1 Local Resolution

This stage allows the people most closely involved with the service concerned to deal with the issue that has been raised. This is because usually these practitioners are familiar with issues raised and understand what can be done to sort it out promptly. Complaints at stage 1 should be resolved in 10 days, however up to 20 days is allowed for more complex complaints.

STAGE 2 Independent Investigation

If the complainant considers that their complaint has not been resolved at stage 1 they may request to progress it to stage 2. This stage involves the appointment of an Investigating Officer. The Investigating Officer is independent of the service. If the complaint directly involves a child or young person then someone independent of the council, the 'Independent Person' oversees the investigation. The Independent Person provides an extra assurance that the complaint is investigated properly and fairly.

The complainant will get a full report from the investigation, along with the responsible manager's decision. The responsible manager is the senior officer of the service concerned.

The investigation should be completed and the response sent to the complainant within 25 working days of the date on which the complaint was agreed. If the complaint is complex, or there

are reasons why the investigation will take longer there can be an extension, with the agreement of the complainant. This extension must not be later than 65 working days in total from the date the complaint was agreed.

The Investigating Officer will present their report to the Adjudicating Officer (the Principal Officer responsible for the service concerned in the complaint, or someone nominated to act on their behalf) at a meeting which they attend along with the Representations Manager and Independent Person.

The complainant will receive a copy of the Investigating Officer's report, the Independent Person's comments (where necessary) and the Adjudicating Officer's response.





STAGE 3 Panel Review

Stage 3 is the final stage of the procedure, if required. It is an independent review of the complaint. A panel of 3 people, who are all new to the complaint and who are independent of the Local Authority, review the information from the Stage 2 investigation. They talk to the complainant, the Investigating Officer and the responsible manager. They then make recommendations to the Director of the Service, who must take them into account in reaching the final decision on the complaint.

Panel review will be held within 30 working days of the request being received. The Chair of Panel will meet with the appropriate Director (or their nominated representative) to explain the panel's decision. Within 20 working days of the panel review the Director will inform the complainant about what action will be taken in response to panel's decision.

Local Government and Social Care Ombudsman (LG&SCO)

Once the 3 stage statutory process has been exhausted a complainant has the right to take their complaint to the LG&SCO.



SECTION 2 Compliments Received

In capturing compliments, customers express not only their satisfaction with the services but they also convey a wider story of their acute needs being met and they add a real social value.

Learning from things that have gone right is essential to our service delivery and good practice. Not only does it highlight the good work that is happening service wide but it also enables us to understand what works.

This section of the report contains a highlight of the compliments received in 2019-20. Customers provide feedback by a variety of methods such as telephone, letter and email.

82 compliments regarding Children's Services were recorded in 2019-20.

"I can't thank you enough, this was just what we all needed, it is great to see everything that has been achieved."

"I wanted to express my gratitude towards my social worker, following my son being restored back to my care. My social worker was very supportive."

"I was always worried about social work intervention but now I think it is the best thing that could have happened. I felt the work that has been completed made me realise where I was going wrong in my parenting and I am now working to put this right."

"I wanted to thank you so much for all you are doing for the girls. The girls deserve so much in life and this has really helped them."

"The social worker was an amazing social worker, I like how she speaks to me openly and honestly, and I feel that she has done so much for my family in such a short space of time."

SECTION 3 Summary of Complaints

This section of the report provides a summary of the complaints that were received within the year 2019-20.

Overview of Stage 1 Complaints Activity:

27 statutory complaints were received in 2019-20, which is a decrease of 25% compared to the previous year. This is the lowest level of complaints we have received in the last 3 years. In comparison to the number of children and families we work with the number of complaints is very low, representing 3% of all contacts, which is the same level as the previous year.

Overview of Stage 2 Complaints Activity:

5 stage 2 complaints were received which is a decrease of 2 compared to the previous year.

Overview of Stage 3 Complaints Activity:

No complaints were received at this level, which is the same figure compared to the previous year.

SECTION 4 Statutory Timescales

Complaints made under the Children Act procedure are subject to statutory timescales. These are outlined in section 1 of this report. Our response times for 2019-20 were:

Stage 1

We responded to 55% within 10 working days, with a further 22% responded to within 20 working days in line with the statutory guidance for complaints which are more complex.

This compares to 72% of complaints being responded to within 10 days and 28% within 20 days compared to the previous year.

Stage 2

Of the 2 concluded investigations at stage 2, both were investigated within timescale and 3 are on hold due to COVID-19.

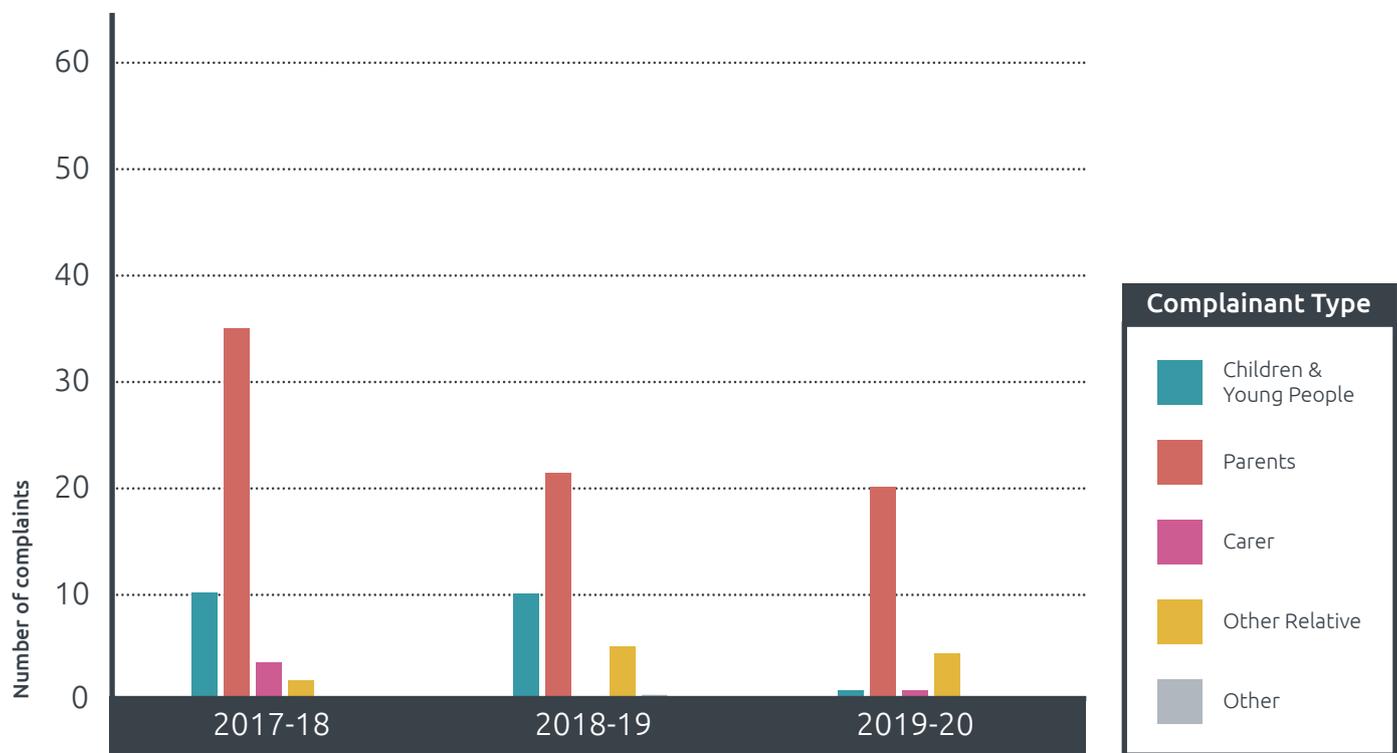
Compared with the previous year of the 7 investigations at stage 2, 43% were investigated within timescale.

Stage 3

No complaints were received at this stage, which is the same figure compared to the previous year.



SECTION 5 Complaints by Complainant Type (stage 1)



74% of the complaints made, were made by parents, compared to 58% in the previous year. Parents complain about the service from the families experience as a whole, or on behalf of their children.

18% of the complaints were made by other relatives, compared to 14% in the previous year.

4% of the complaints were made by children and young people, compared to 28% in the previous year. These complaints have been supported by the children’s advocacy service.

It is of the utmost importance that children and young people can express their concerns through a complaints procedure. Complaints from children and young people show a different perspective through a child’s viewpoint, to the service that is being delivered. Children and young people complain to the council in various ways including use of the council’s complaints leaflets, the online complaints form, social media and the children’s advocacy service, whose role is to support and advise children through the complaints process.

4% of the complaints were made by carers. In the previous year no complaints were received from carers.



SECTION 6 Complaints by Finding and Issue

Complaints by Finding –Stage 1

Stage 1	2017-18		2018-19		2019-20	
	Number	Percentage	Number	Percentage	Number	Percentage
Upheld Whole	2	4%	1	3%	0	0%
Upheld in Part	5	10%	3	8%	4	15%
Not Upheld	35	73%	31	86%	23	85%
Not Found	6	13%	1	3%	0	0%
Total	48	100%	36	100%	27	100%

The chart illustrates that 85% of the complaints we have received in the year 2019-20, were not upheld, compared to 86% in the previous year.

15% of the complaints were upheld in whole or in part, compared to 11% in the previous year.

None of the complaints received this year have been categorised as not found, compared to 3% in the previous year.





Complaints by Finding – Stage 2

Stage 2	2017-18		2018-19		2019-20	
	Number	Percentage	Number	Percentage	Number	Percentage
Upheld Whole	0	0%	0	0%	0	0%
Upheld in Part	3	50%	0	0%	0	0%
Not Upheld	3	50%	7	100%	2	40%
Not Found	0	0%	0	0%	0	0%
Still being investigated	0	0%	0	0%	3	60%
Total	6	100%	7	100%	5	100%

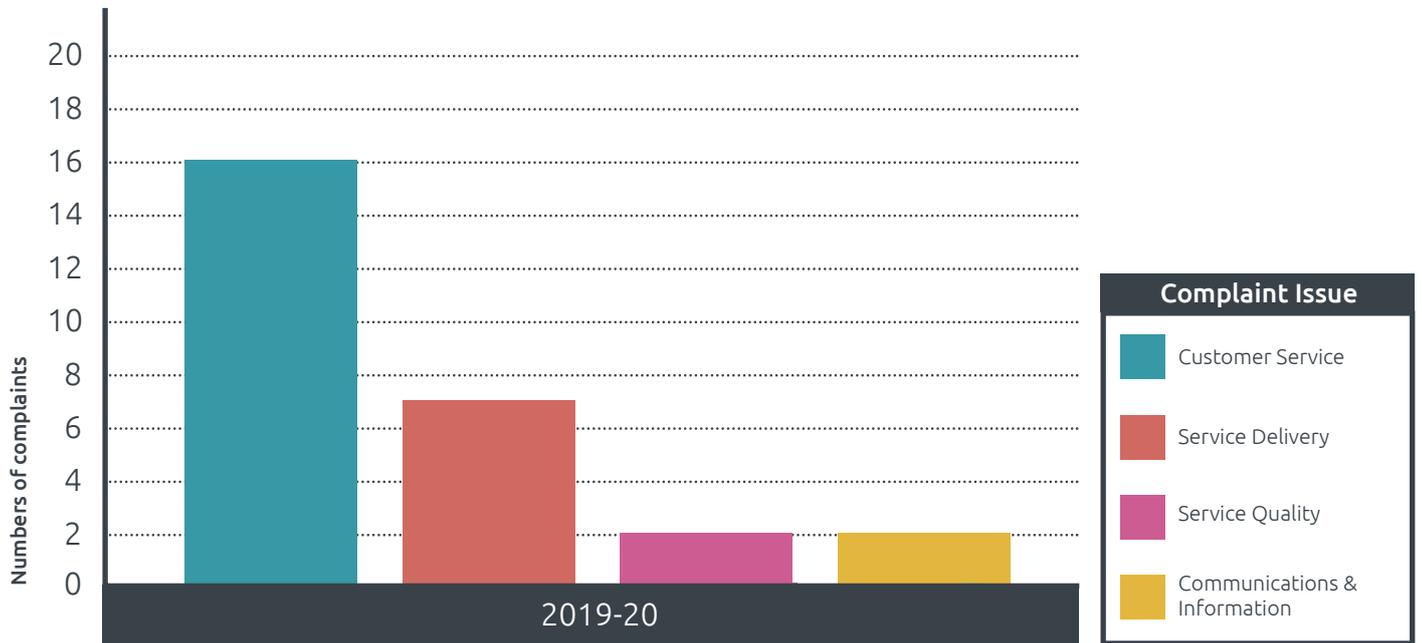
The chart illustrates that none of the concluded complaints we received in the year 2019-20 at stage 2, were upheld, which is the same figure as compared to the previous year.

3 complaints are still being investigated as at June 2020, due to COVID-19.

STAGE 3 Complaints

No complaints were received at this level, which is the same figure compared to the previous year.

Complaints by Issue-Stage 1



Overall the number of complaints received represented 3% of service users, which remains relatively low, and is the same percentage as in the previous year. Complaints are categorised to reflect the issues raised as follows.

Complaints about **Service Delivery** are about whether the appropriate support has been provided by the service. The complainant may also complain that there has been a failure to provide a service. Good service delivery provides service users with an increase in value, or a service. The category of service delivery received fewer complaints, compared to the previous year.

Complaints about **Service Quality** occur when there are issues in the quality of the service being delivered. This differs from family to family, but for example, it could include complaints about delays in assessments or standards that are below what is expected. We received fewer complaints in this category compared to the previous year.

Complaints about **Communication and Information** relate to complainants' concerns that they do not think that they are fully aware of their social workers actions, their plans or are involved in the decision making regarding their family. The number of complaints in this category was broadly comparable to the previous year.

Complaints about **Customer Service** relate to the attitude and behaviour of members of staff. Complainants can raise concerns about the way that the actions of staff made them feel. This category saw an increase in the number of complaints compared to the previous year.



SECTION 7 Local Government and Social Care Ombudsman

Year	LG & SCO Complaints	Outcome
2017-18	2	2 not found
2018-19	6	1 upheld
2019-20	3	3 not investigated by LG&SCO

The final stage of the statutory procedure for Children’s Services is investigated by the Local Government and Social Care Ombudsman (LG&SCO).

There have been 3 Local Government & Social Care Ombudsman complaints received for Children’s Services, compared to 6 in the previous year.

- ▼ 2 complaints were closed by the LG&SCO after initial enquiries.
- ▼ 1 complaint was closed by the LG&SCO because it was classed as a premature complaint because the complainant had not been through the council’s complaints procedure.



SECTION 8 Reporting and Monitoring

Information from complaints is used and shared in a number of ways:

- ▼ Meetings with senior managers. These meetings review complaints to consider specific issues in relation to individual complaints and identifying any themes and cross cutting issues. This is an opportunity to learn from complaints and improve service delivery.
- ▼ Complaints information is included in regular service performance monitoring reports. Services report on complaints within their routine performance monitoring arrangements, thus informing the service about qualitative aspects of performance and ensuring the information is integral to service monitoring and service development.
- ▼ The findings from upheld complaints are actively used to inform the development of improved training materials and practice guidance.
- ▼ An Annual Complaints and Representation Report is presented to the Cabinet Member. Reporting at this level allows for consideration of the implications for wider strategic and policy development.
- ▼ We will share this report with partner organisations.

SECTION 9 Conclusion

This report has given an overview of the statutory procedure for compliments and complaints about Children's Services for the year 2019-20. It has summarised the complaints received over the year and the actions taken to resolve them.

We will continue to develop and improve the complaints process in 2020-2021 by:

- ▼ Continuing to adopt Restorative Practice methods to help resolve complaints and issues at an early stage.
- ▼ Increase our focus on robust monitoring of responses to complaints so that timescales are met.
- ▼ Continue to use the learning from complaints to inform training and practice development.

