



Telford & Wrekin  
Co-operative Council

Protect, care and invest  
to create a better borough

# Children's Statutory Complaints report

## Improving our Customer Experience

### Annual Report 2022/23

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# Purpose of the Report

- To report statistical information to Members and Officers detailing Telford and Wrekin Council's Children's Social Care complaints from 1 April 2022 to 31 March 2023.
- To provide an open resource to anyone who wishes to scrutinise local services.
- To outline the key developments and planned improvements to the complaints processes operated by the Council.
- To consider how the learning from complaints can be used to improve the overall customer experience.

## Introduction

This Annual Report covers all complaints made about Children's Social Care that were received by the Customer Relationship team and dealt with under the statutory complaints procedure during the period 1 April 2022 to 31 March 2023.

The 2006 Social Care complaints guidance 'Getting the Best from Complaints' (Department for Education and Skills (DFES), 2006) requires that an Annual Report be arranged by a local authority's Complaints Manager to provide a mechanism by which it can be kept informed about the operation of its complaints procedure. The report should be presented to staff, the relevant local authority committee, and be made available to both the regulator and general public. It should provide details about:

1. Representations made to the Council
2. The number of complaints at each stage
3. The types of complaints made
4. The outcome of the complaints
5. Compliance with timescales, and detail complaints resolved within extended, agreed timescales
6. Complaints that were considered by the Local Government & Social Care Ombudsman
7. A review of the effectiveness of the complaints procedure
8. Learning and service improvements, including changes to services that have been implemented and details of any that have not

Please see the Appendix for details of the legislation and procedure.

### Highlights 2022/23

**The lowest number of Children's Statutory Complaints received for the last 8 years**

**17%  
Reduction in Children's Statutory Complaints**

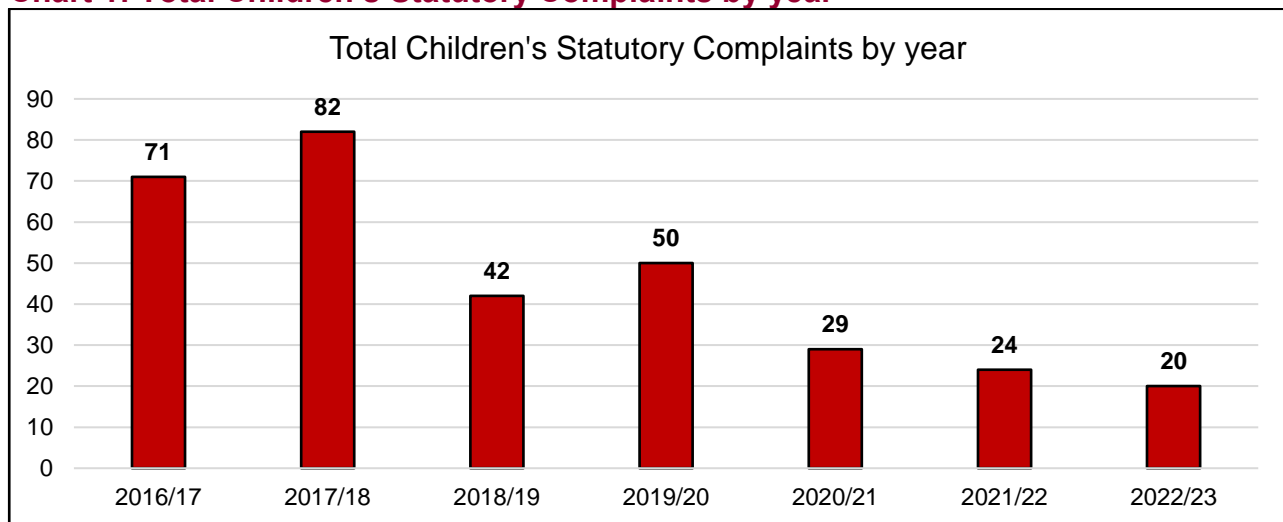
**The average number of days to respond to complaints is 16 days**

# Children's Statutory Complaints 2022/23

We received 20 Children's Statutory Complaints between 1 April 2022 and 31 March 2023. The number of complaints received decreased by 17% compared to 2022/22.

The period saw the lowest number of Children's Statutory Complaints received over the past 8 years. The chart below shows a comparison of the number of statutory complaints over the past seven years.

**Chart 1: Total Children's Statutory Complaints by year**



The 20 complaints were all dealt with at Stage One, with only one progressing to an independent Stage Two investigation.

Stage	Number of complaints
One	20
Two	5
Three	0
<b>Total</b>	<b>25</b>

Of the 20 Stage One complaints received, 20 were completed during the period. Five Stage Two complaints were received and independently investigated. No Stage Three Panels were completed in 2022/23.

## Contact Types

Children's Statutory Complaints were received from the following in 2022/23:

Complainant	Number of complaints
Parent	9
Carer	1
Child/young person	2
Foster carer	0
Other family member	1
Advocate/representative	7
<b>Total</b>	<b>20</b>

Two complaint were received directly from children and young people in 2022/23. Six were received from children via the Council’s representations service and one was received via an external advocacy service.

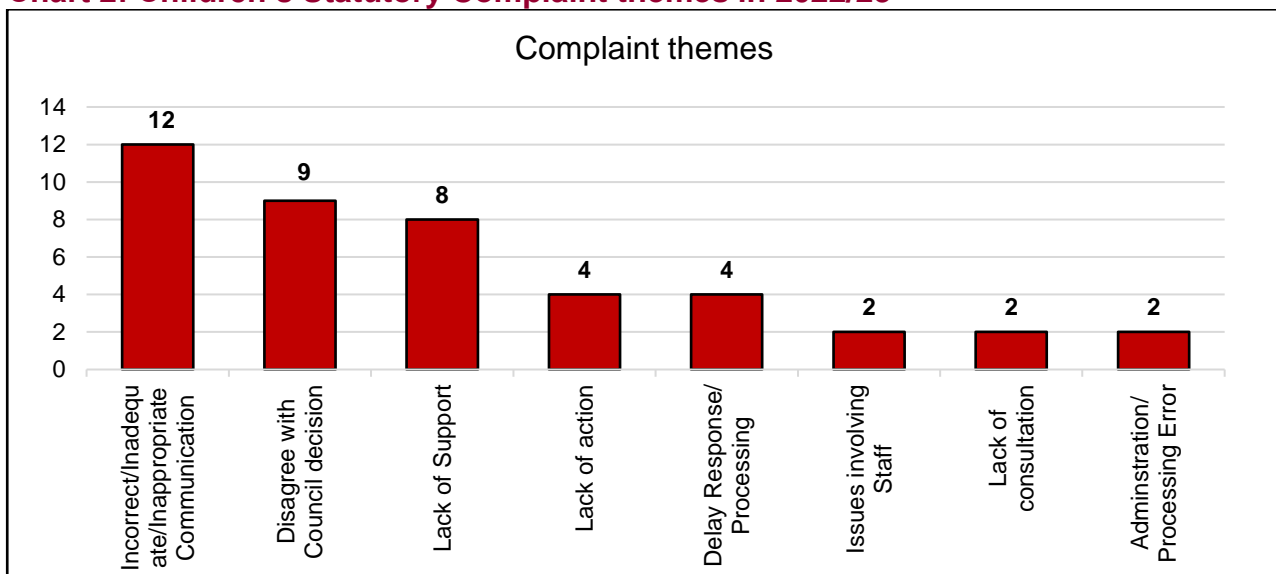
### Customer Access Channels and Digital Contact

Complainant channel	Number of complaints
Email	14
Web form	4
Telephone	2
Letter	0
<b>Total</b>	<b>20</b>

In 2022/23, 90% of Children’s Statutory Complaints were received via a digital access channel, including via our online complaints web form and by email directly to the Customer Relationship team.

### Complaint Themes

Chart 2: Children’s Statutory Complaint themes in 2022/23

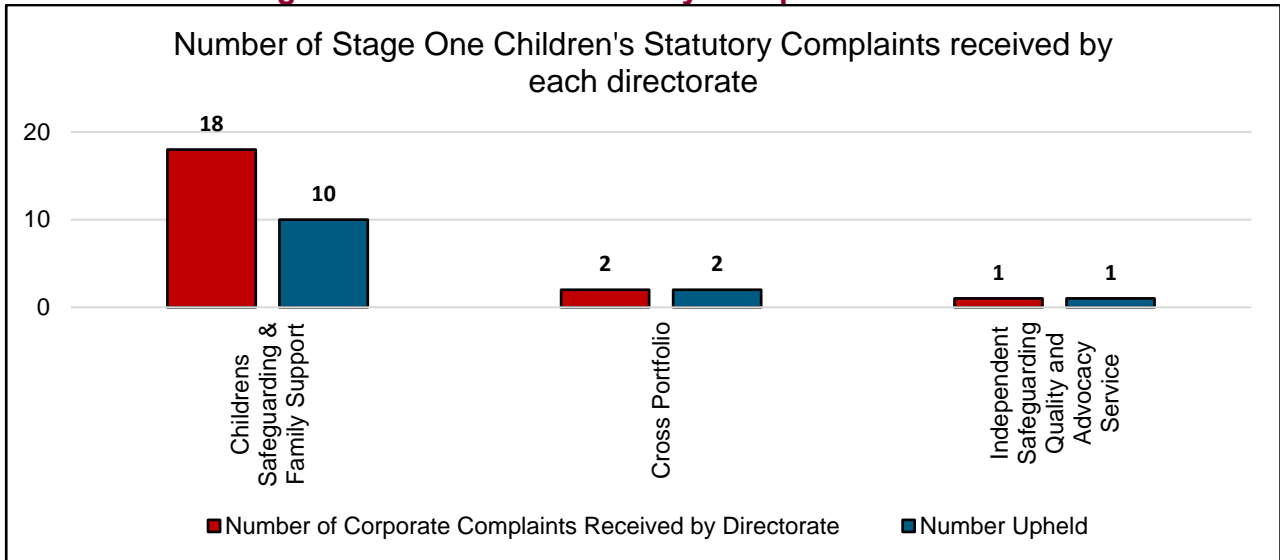


Most of the themes are self-explanatory and give a clear idea about the types of concerns raised in relation to our involvement.

### Complaints received by directorate

The chart below details the statutory complaints received by each directorate against the number subsequently upheld.

**Chart 3: No of Stage One Children's Statutory Complaints received**

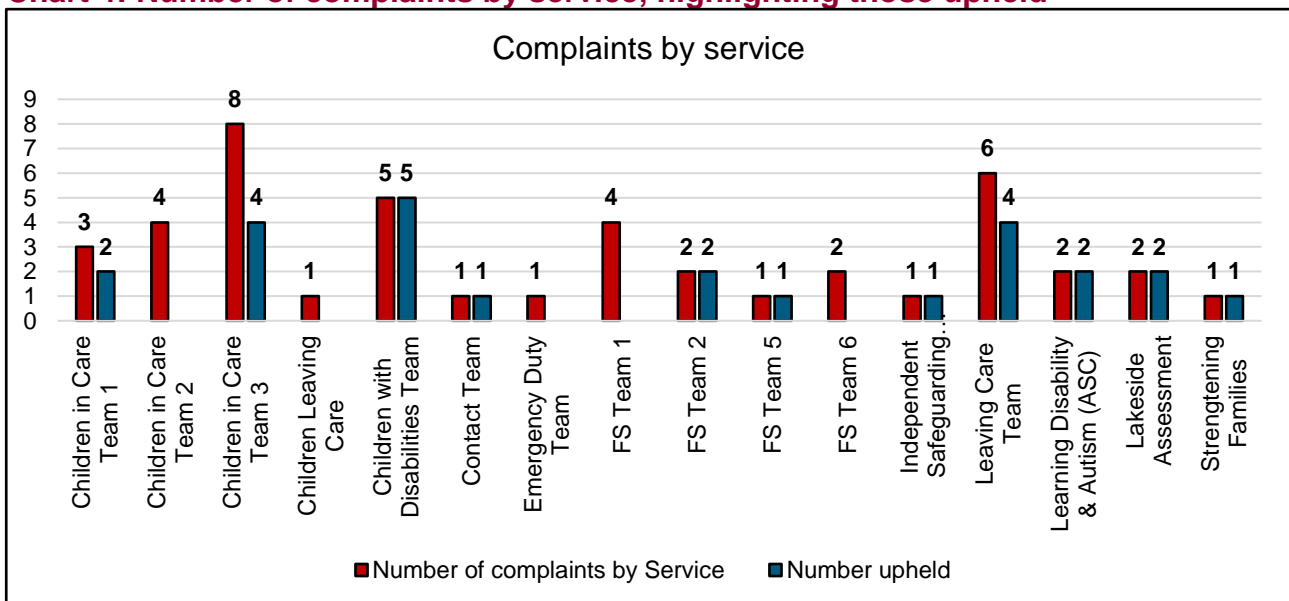


The number of upheld complaints against number received for Children's Safeguarding & Family Support was 56%. Cross Portfolio complaints saw 100% upheld. The Cross Portfolio complaints related to cross cutting issues relating to Children's Services and Adult Social Care.

Of the 21 complaints responded to in the year, 62% (13) were upheld, 38% (8) were not upheld and 0% (0) were dealt with via another method.

The chart below includes the number of complaints received by each service. Please note that the number of complaints detailed below is higher than the overall total because certain complaints had multiple issues raised with different teams. This chart seeks to show all the services against which issues were raised, meaning that an individual complaint may be counted multiple times within it.

**Chart 4: Number of complaints by service, highlighting those upheld**



The most upheld complaints combined were in the Children in Care service (6) where 15 complaints were received and 6 of them upheld 40%.

Issues raised included time taken to locate a foster placement, inconsistent contact with siblings, issues around belongings in placement. Issues with communication around transition between placements.

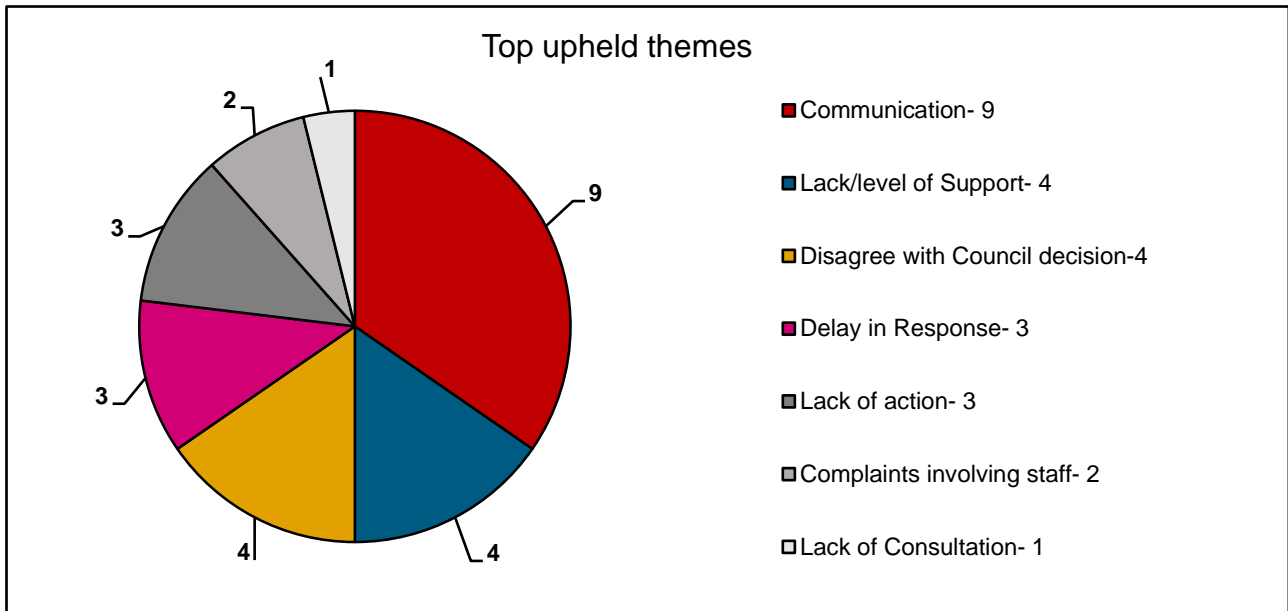
The Children with Disabilities Team received 5 complaints and all 5 were upheld.

Issues raised included lack of support and contact and clarity regarding involvement. One complaint was cross portfolio in relation to transition arrangements from Children's Services to Adult Services. This was also a concern raised and upheld in relation to one complaint for the Children in Care team.

# Themes of upheld complaints

Of the upheld statutory complaints, the top themes raised were as detailed in the chart below.

**Chart 6: Upheld themes**



The above categories are self-explanatory and give a clear indication of the overall areas of our service or aspects of our work that had the most upheld complaints. This indicates that 69% of upheld complaints had an element of the complaint that related to incorrect/inadequate or inappropriate communication. This covers a variety of concerns including service acknowledging that communication could have been better, inadequate communication regarding meetings, and incidents not notified in a timely manner.

Individual management reports are shared with service managers on a regular basis, which allows for greater analysis and interpretation of the data.



# Timescales for responses

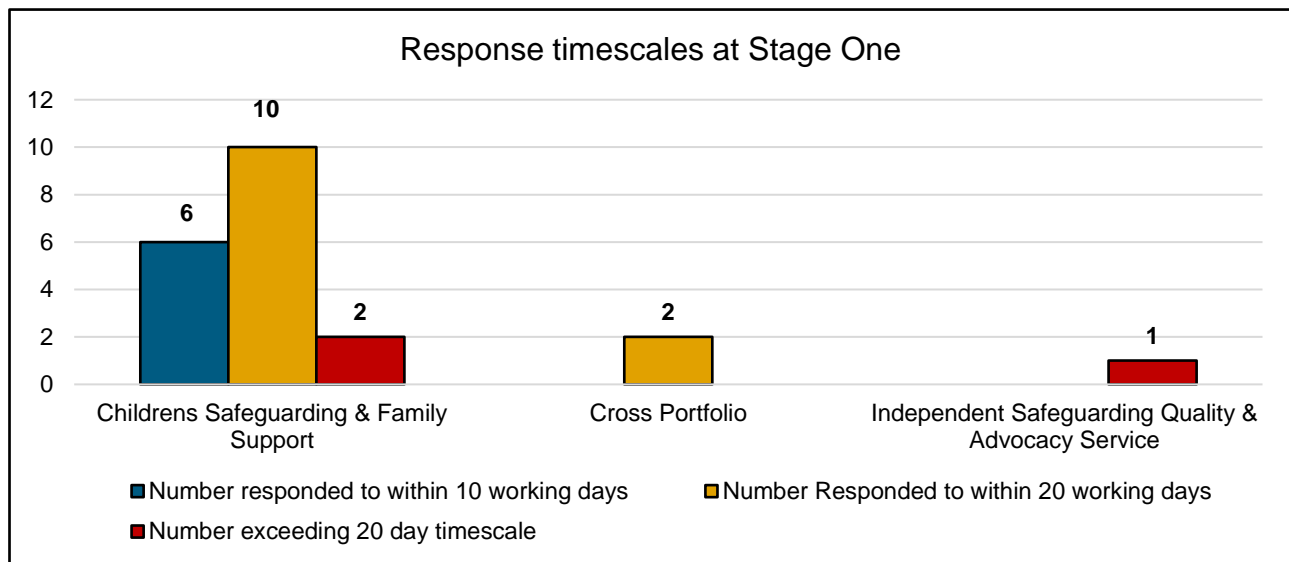
Our Children's Statutory Complaints Policy has been written in line with The Children Act 1989 Representations Procedure (England) Regulations 2006, which outline how Children's Statutory Complaints should be handled and the three stages involved.

Stage One should be an opportunity to resolve the complaint at service level and should be completed within 10 working days. This may be extended to 20 working days in exceptional circumstances and with the prior agreement of the complainant.

Stage Two is an independent investigation that should be completed within 25 working days. This may be extended to 65 working days in more complex cases.

Stage Three is a Panel where the investigations at Stage One and Stage Two are reviewed.

**Chart 7: Response timescales at Stage One**



Of the 21 complaints that were responded to in the year, 6 were responded to within the 10 working day timescale and 12 were completed within the 20 day extended timescale. Three complaints exceeded the extended 20 working day timescale.

The average number of days to respond in Children's Statutory Complaint was 16 working days, which is an increase on the average of 14 days achieved in 2021/22, although still within the extended 20 working day timescale.

Children's Social Care complaints are complex and this can have an impact on timescales. However since November 2020 new procedures have been put in place to improve timescales. Complaints are RAG (red, amber, green) rated and copied to the Director and Executive Director on a weekly basis. Six-weekly meetings take place with Directors to review all outstanding cases and learning. A number of managers and team leaders from Children's Safeguarding and Family Support attended complaint training provided by the

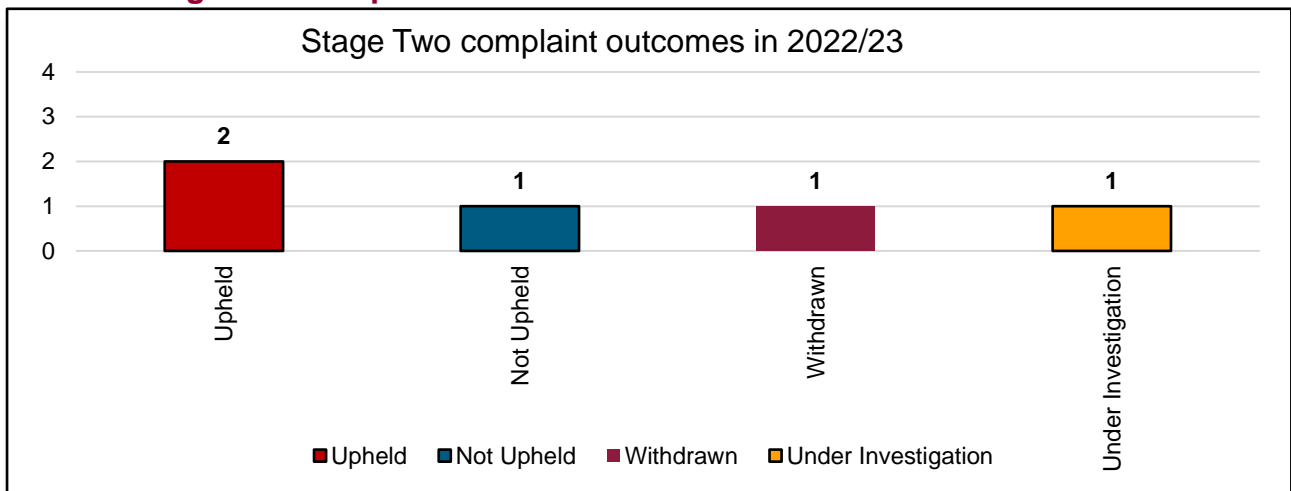
Local Government and Social Care Ombudsman in the last quarter of 2022/23 this will be rolled out to more managers and Team leaders in 2022/23. The work that has been completed since November 2020 has improved timescales from the levels experienced in 2020/21, however more work will be done in 2023/24 to improve these timescales going forward.

Overall in 2022/23, 86% of complaints were responded to within the statutory timescale of 20 working days and 29% were responded to within ten working days.

## Statutory Stage Two complaints

During 2022/23, five (25%) Statutory Stage One complaint progressed to Stage Two of the process.

**Chart 8: Stage Two complaint outcomes in 2022/23**



The two upheld complaints related to ensuring that documents and updates are shared in a timelier manner. Updates should be shared when available rather than at a planned time. Learning was taken in relation to support provided ensuring the young person understands information discussed and decisions made, and that an advocate or support worker can be present at meetings to help if required.

The complaints were resolved at Stage Two of the procedure.

There was an increase in the number of statutory Stage Two investigations in 2022/23 when compared with the previous year when one investigation at stage 2 took place. However, the majority of complaints were resolved locally at Stage One of the procedure.

The average number of days to complete a Stage Two investigation was 64, which was an increase on the 55 days in 2021/22.

There were no Stage Three panels in 2022/23.

# Learning and outcomes from Children's Statutory Complaints

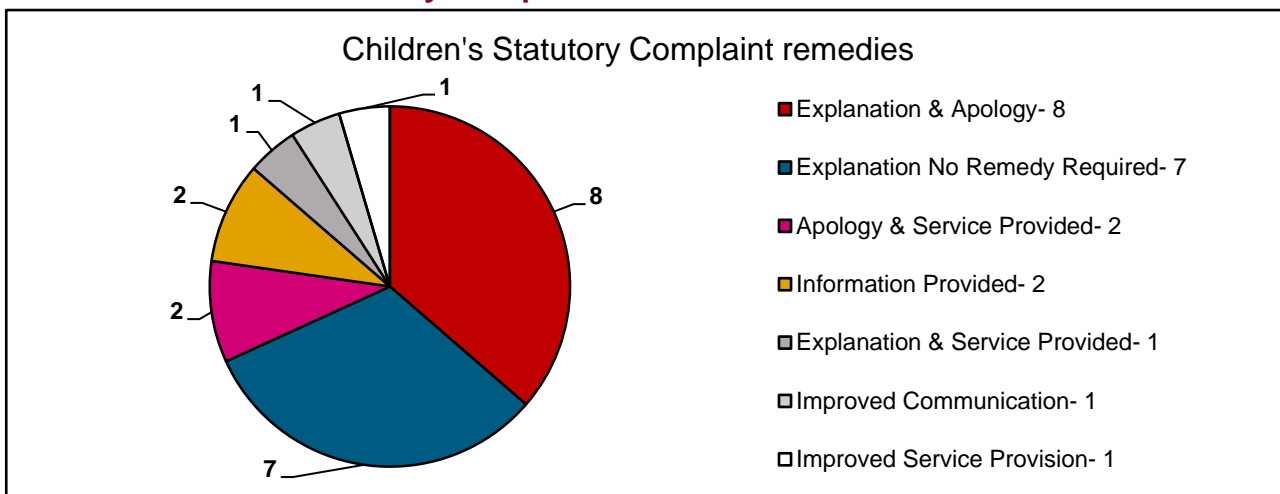
Complaints are a valuable source of information that can help to identify recurring or underlying problems and potential improvements. We know that numbers alone do not tell us everything about attitudes towards complaints and how they are responded to locally. Arguably, it is of greater importance to understand the impact that complaints have had on people and to learn the lessons from them to so as to improve the experience of others.

Lessons can usually be learned from complaints that were upheld, but also in some instances where no fault was found, the Council recognises that improvements to services can still be made.

Occasionally, during the course of an investigation, issues will be identified that need to be addressed over and above the original complaint. The Customer Relationship team will then work with services to ensure that they see the "bigger picture" so that residents receive the best possible service from the Council. The Customer Relationship team will continue to provide daily advice and support to managers around complaints management and resolution, and when responding to representations.

Outcomes are discussed in detail in Quality Assurance meetings which are held monthly. The Quality and Complaints Officer for Children's Services attends this meeting on a quarterly basis where Service Delivery Managers consider the themes and identify additional activities that should be undertaken to share the learning with practitioners.

**Chart 9: Children's Statutory Complaint remedies in 2022/23**



The top four remedies recorded against Children's Statutory Complaints in 2022/23 were:

- 38% were to provide an explanation and apology
- 33% were to provide an explanation and no remedy was required
- 10% were to Apology and actions were taken
- 10% were to provide information

## Positive Improvements

Throughout the year, we record the learning identified from each complaint in order to build up a picture of common themes or trends. Learning from corporate complaints is considered alongside that from statutory complaints as part of our quality assurance activities.

Below are examples of positive changes that have resulted from learning from complaints:

- Individual remedies have been completed concerning support plans and working agreements, assessments, referrals, meetings, and documentation
- A reminder issued to team manager that where social workers are absent from work, visits will continue to be completed
- Lessons have been learnt around sensitivity when asking questions, a session has been carried out with practitioners to improve learning and knowledge
- Officers have been reminded to ensure that conference reports are provided in advance of the meeting
- There is an ongoing review into the arrangements and communication between services in respect of moving from Children's Services to Adult Services
- Reminder of the importance of communicating meeting arrangements effectively
- Review has been undertaken to provide better consistency of communication and that agreed communication timescales are met
- Additional training has been given to ensure high standards of record management
- We have set up a parents support group to offer peer support and for us to also learn from lived experience how we can do things better. We are trying to learn from other parents with lived experience of involvement with the local authority and will continue to do this
- A discussion has been led by the Principal Social Worker around the impact upon complainants of the actions that led them to complain. This discussion also centred around the complainants journey and how this led them to feel, focusing on empathy.

# Complaints made to the Local Government & Social Care Ombudsman

The Local Government & Social Care Ombudsman (LGSCO) has the authority to investigate complaints when it appears that our own process has not resolved them. Complainants can refer their complaint to the LGSCO at any time, although the Ombudsman will generally refer them back to us if they have not been through our process first. In exceptional circumstances, the Ombudsman will look at things earlier; this usually being dependant on the vulnerability of the person concerned.

No Statutory cases were escalated to the LGSCO in 2022/23. One case remained outstanding with the LGSCO on 31 March 2022, this case was reported in the year as a statutory complaint that was outstanding. This has been confirmed as a corporate complaint and was not upheld by the LGSCO, this is detailed within the Corporate Feedback Report 2022/23.

The Council continues to ensure that it complies with any recommendations made by the LGSCO, and learning is taken forward to improve practices.

# Concluding Comments

This Annual Report shows that the number of Children's Statutory Complaints we received in 2022/23 decreased from the previous year. Our services continue to receive a low number of complaints at a time when there have been major reductions in government funding for local authority service provision. Despite this financial backdrop, the Council continues to manage complaints well and is committed to putting right anything that has gone wrong.

Response times have increased marginally during 2022/23 with the average number of days to respond to a statutory complaint increasing from 14 days in 2021/22 to 16 working days.

Timescales have been impacted during the year with 86% of complaints responded to within the statutory timescales with 29% sent within the initial 10 working days.

Work has been carried out since November 2020 to significantly improve timescales from the levels previously experienced in 2020/21, however more work will be completed in 2023/24 to reduce timescales further and sustain continuous improvement in this area.

Training continues to be provided to staff, with managers and team leaders attending LGSCO training in the year, this will be arranged and rolled out to more managers within Children's Safeguarding and Family Support in 2023/24.

The Customer Relationship team continued to update complainants concerning any delays or extended response timescales. They also continued to work with services to further improve on the timescales achieved.

## Recommendations

Our recommendations for this financial year are:

- When completing a complaint investigation and response, services should assess whether any element of the customer journey could have been improved, even if this does not form part of the complaint. i.e. Could improved communication have prevented the customer's concerns being escalated to a formal complaint?
- It is recognised that delays maybe occurring due to social worker availability. Ideally however, case notes should be sufficiently detailed to allow others to respond in their absence.
- Services should continue to ensure that they are prioritising complaints and responding within the stated timescales. If there are unforeseen delays, the Customer Relationship team should be notified immediately so that we can notify the customer and advise them of the date they should expect their response.

A service level complaints guide is in development, which will cover guidance and expectations for communication with complainants, and also timescales and extension arrangements.

## Oversight and support provided by the Customer Relationship Team

The Customer Relationship team continues to support Service Areas to both manage and learn from complaints. The key services they offer are:

1. Complaints advice and support
2. Quality assurance of statutory complaint responses
3. Act as a critical friend to challenge service practice
4. Support with persistent and unreasonable complainants
5. Assistance in drafting comprehensive responses to complaint investigations
6. Continue to escalate overdue complaints to Directors

## Customer Relationship Team priorities for 2023/24

During 2023/24, the Customer Relationship team will focus on a number of key priorities:

- Helping to improve the Council's record of timely complaint responses
- Continuing to improve and add to the resources available to managers when responding to complaints and other correspondence, while encouraging self-help
- Working with services to develop an investigation template, and providing a complaint workshop covering complaint procedures and how to both investigate and respond to complaints
- Providing complaint data to senior management on a monthly basis, as part of corporate monitoring
- Working to maintain low levels of maladministration findings by the Local Government & Social Care Ombudsman
- Continuing to provide a quarterly and monthly reporting dashboard of performance data to senior management so that improvement can be driven forward continuously during the year

# Appendix

## Legislation

The Children Act 1989 Representations Procedure (England) Regulations 2006 underpin all representations received from children and young people, their parents, foster carers or other qualifying adults about social care services provided or commissioned by Children's Social Care. The act and regulations set down procedures that councils with social care responsibility must follow when a complaint is made.

The Children's Statutory Complaints Procedure is a three stage process. Stage One is where complaints are investigated at service level, Stage Two is where an independent investigation takes place and Stage Three is where a Panel of Independent Persons will review the investigations undertaken at Stage One and Stage Two.

The Corporate complaints process is used for anyone else who makes a complaint.

## What is a complaint?

We define a complaint as:

'A statement, written or verbal, which expresses dissatisfaction about any aspect of the social services provided by or on behalf of the Service Delivery Units responsible for services to children.'

The purpose of a complaints process is to resolve concerns raised by service users and their representatives, to deliver outcomes that are appropriate and proportionate to the seriousness of the issues, and to ensure that changes are made in response to any failings that are identified.

To achieve this, the approach to handling complaints must incorporate the following elements:

- Engagement with the complainant or representative throughout the process
- Agreement with them about how the complaint will be handled
- A planned, risk-based and transparent approach
- Commitment to prompt and focussed action to achieve the desired outcome
- Commitment to improvement and the incorporation of learning from all complaints

A complaint must be made within 12 months of the event complained about, or when the customer became aware of the matter/ event. Nevertheless, the Council has the discretion to waive this time limit if:

- It would not be reasonable to expect the complainant to have made the complaint sooner, and
- It is still possible to deal with the complaint effectively and fairly



## Who can make a complaint?

A complaint may be made by:

- Children or young people who are receiving, or have received, services provided by the Council, or are entitled to receive such a service because they are looked after by the Borough, or because they are deemed to be 'in need', as defined by the Children Act 1989
- People who have parental responsibility for these children and young people
- Advocates and representatives of any of the above children and young people (providing that it has been established, as far as possible, that the advocate or representative is reflecting the child's or young person's own wishes)
- Foster carers who want to comment or complain about the service being provided to a child or young person for whom they are caring
- Any other person, providing that they are deemed to have sufficient interest in the child's or young person's welfare to justify the Council considering the complaint

Complaints may be received through a variety of media (phone, letter, email, feedback form, personal visit, etc.) and at various points within the Council (to staff members, via respective web addresses, direct to the Customer Relationship team, etc.).

## Who can make a complaint?

When a complaint is first received, the Customer Relationship team will carry out an initial assessment of it to determine its issues, severity and potential impact, and to identify any other organisations that maybe involved.

Whenever a complaint is received from a child or young person, the Customer Relationship team will notify the Rights & Representations Service of the need to offer the complainant an advocacy service within the remit of the 2004 Advocacy (Services & Representations) Regulations. A child or young person whose complaint is being considered within this procedure is entitled to advocacy services throughout the process. Subject to the approval of the child or young person, all correspondence with regard to the complaint will be copied to the advocate, who will be entitled to accompany the complainant at any meeting or interview about the complaint they attend.

When someone contacts the Customer Relationship team to make a complaint, they will acknowledge their complaint within two working days. The Customer Relationship team will then pass details of the complaint to the appropriate Service Delivery Manager.

We aim to respond to all Stage One Children's Statutory Complaints within ten working days. However, due to the nature and complexity of some issues, it may take longer, and - in agreement with complainants - the timescale may be longer (subject to a maximum of 20 working days).

When the investigation is complete, the manager concerned will write a letter explaining what they have found and will do to put things right.

If the complainant is not happy with the response or how we have dealt with their complaint, they can request that it is considered at Stage Two of the procedure, where it will be investigated by an independent investigator.

Following this investigation, the findings will be sent to the complainant, at which point they may request that the investigations undertaken at Stage One and Stage Two are reviewed at Stage Three by a Panel.

Following the Panel meeting, if the customer is not happy with the final decision or how we have dealt with their complaint, they can refer the matter to the Local Government & Social Care Ombudsman (LGSCO).