



Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

Appendix C- Children's Statutory Complaints Report

Improving our Customer Experience

Annual Report 2023/24

Contents

Purpose of the report.....	3
Introduction.....	3
Children's Statutory Complaints 2023/24.....	4
Themes of upheld complaints.....	7
Timescales for responses.....	8
Statutory Stage Two & Stage Three complaints in 2023/24.....	9
Learning and outcomes from Children's Statutory Complaints.....	10
Complaints made to the Local Government & Social Care Ombudsman	12
Concluding comments.....	13
Oversight and support provided by the Customer Relationship team.....	14
Customer Relationship team priorities for 2024/25.....	14
Appendix.....	15

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 2023 to 31 March 2024.
- To provide an open resource to anyone who wishes to understand feedback about 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

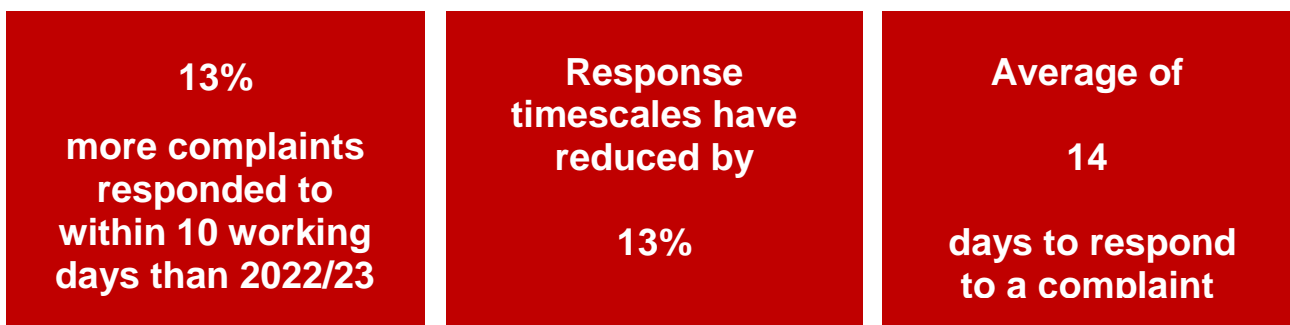
This Annual Report covers all complaints made about Children's Social Care that were received by the Customer Relationship team and dealt with under the statutory complaint procedure during the period 1 April 2023 to 31 March 2024.

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 complaint procedure. The report should be presented to staff, the relevant local authority committee, and be made available to both the regulator and 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 complaint 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 2023/24

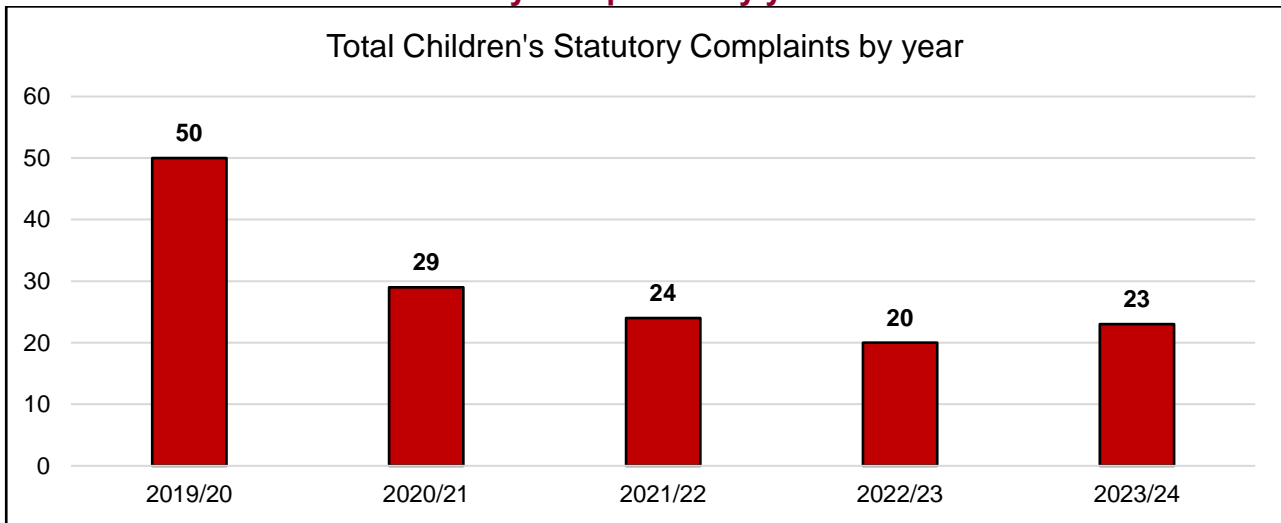


Children’s Statutory Complaints 2023/24

We received 23 Children’s Statutory Complaints between 1 April 2023 and 31 March 2024. The number of complaints received has increased slightly when compared with the 20 received in 2022/23. To provide some context, Children’s Safeguarding and Family Support received a total of 9,994 contacts during the year, this includes telephone calls and emails and had 1,542 referrals into the service completed during the year.

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 23 complaints were all dealt with at Stage One, with five progressing to an independent Stage Two investigation.

Stage	Number of complaints
One	23
Two	5
Three	1
Total	25

Of the 23 Stage One complaints received, 19 were completed during the period. Five Stage Two complaints were received and independently investigated. One Stage Three Panel was completed in 2023/24.

Contact Types

Children’s Statutory Complaints were received from the following in 2023/24:

Complainant	Number of complaints
Parent	12
Advocate/representative	7
Child/young person	2
Service User Other	1
Solicitor	1
Total	23

Two complaints were received directly from children and young people in 2023/24. Seven were received from children via the Council’s representations service. One complaint was received from an adult which related to historical matters.

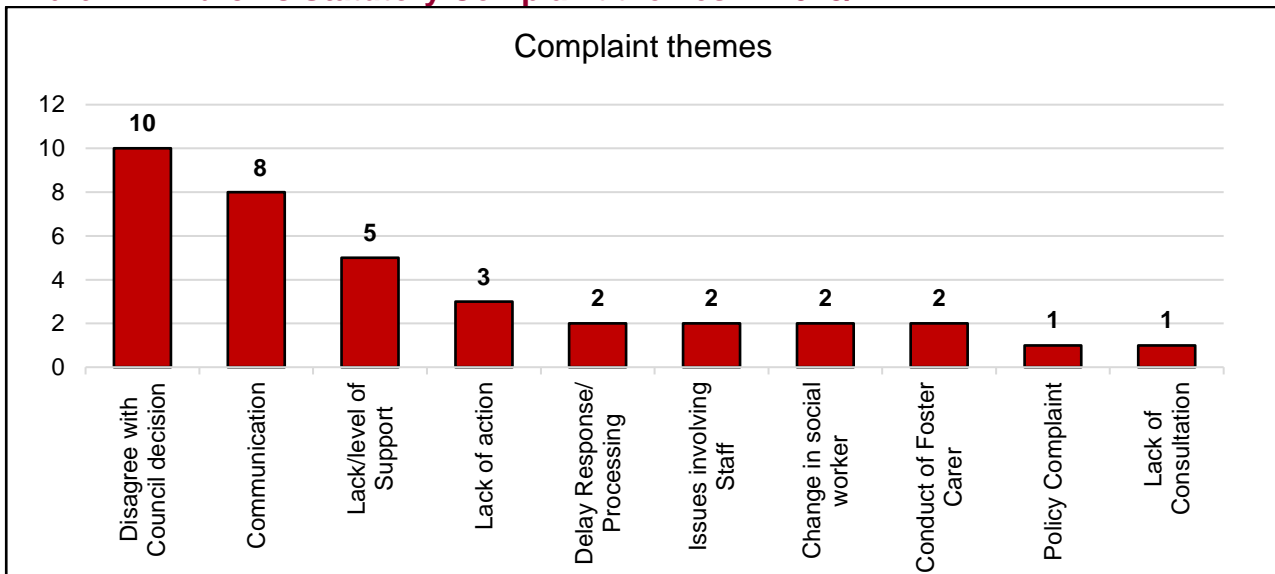
Customer Access Channels and Digital Contact

Complainant channel	Number of complaints
Email	13
Web form	10
Telephone	0
Letter	0
Total	23

In 2023/24, 100% of Children’s Statutory Complaints were received via a digital access channel, including via our online complaint web form and by email directly to the Customer Relationship team.

Complaint Themes

Chart 2: Children’s Statutory Complaint themes in 2023/24



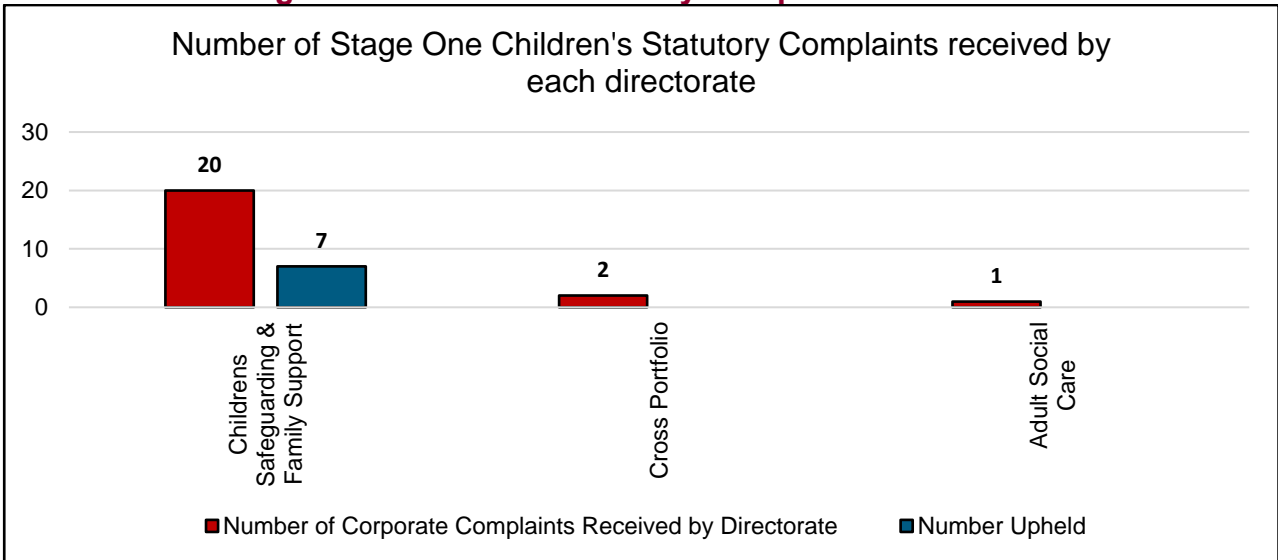
Most of the themes are self-explanatory and give a clear idea about the types of concerns raised in relation to our involvement.

No complaints handled under this process involved Child Sexual Exploitation during 2023/24.

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

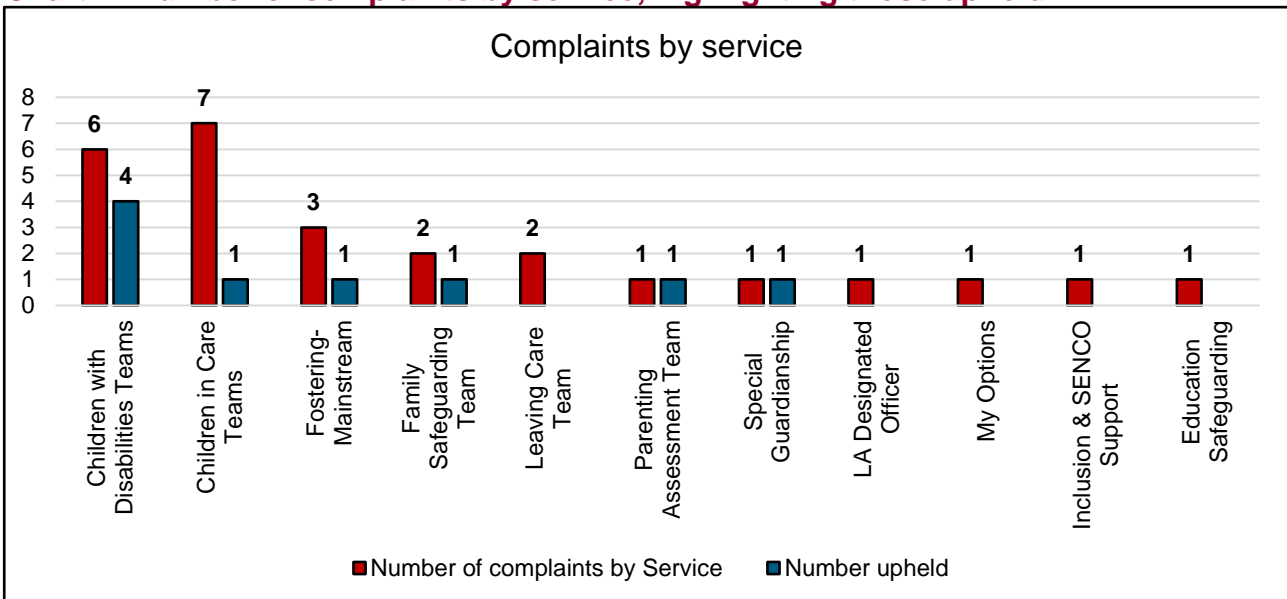


The number of upheld complaints against number received for Children’s Safeguarding & Family Support was 35%. Cross Portfolio and Adult Social Care complaints saw 0% upheld. The Cross Portfolio complaints related to cross cutting issues relating to Children’s Services, Education & Skills and Policy & Governance.

Of the 19 complaints responded to in the year, 37% (7) were upheld, 58% (11) 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



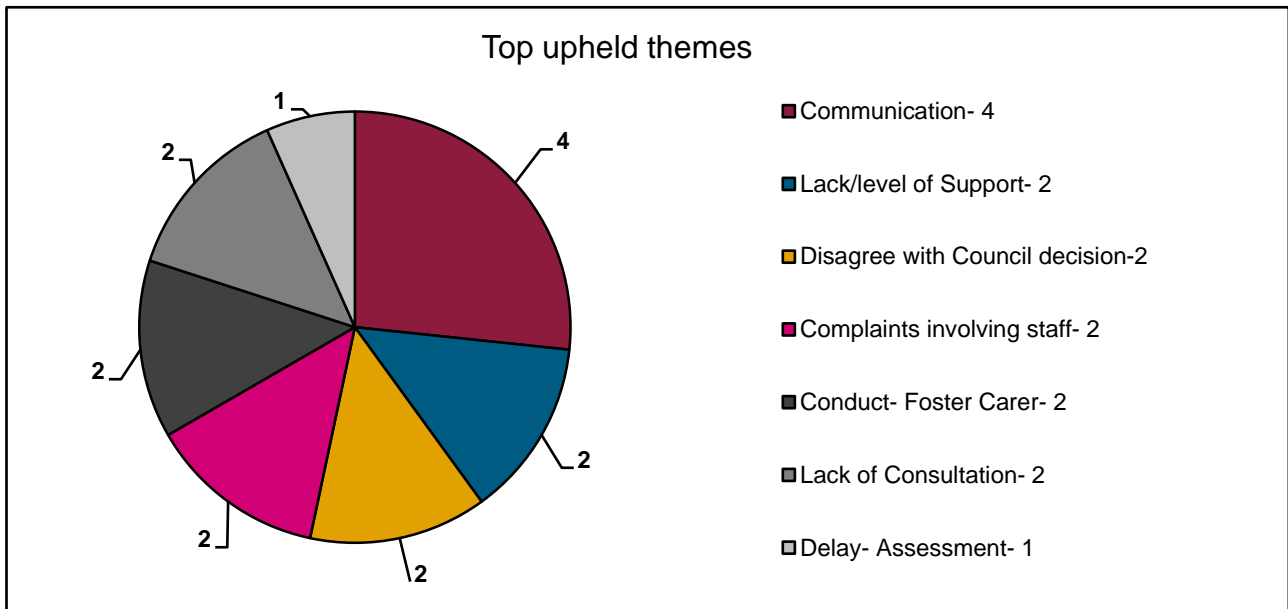
The most upheld complaints combined were in the Children with Disabilities Teams (6) where 6 complaints were received and 4 of them upheld 67%. The Children in Care Teams received 5 complaints and one was upheld.

Upheld issues included communication during and around appointments, delay in responding, lack of support from staff, lack of communication during periods of staff absence and delay in completing an Occupational Therapy assessment, failure to complete an assessment and plan prior to contact being unsupervised and foster carer practice.

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 57% of upheld complaints had an element of the complaint that related to communication. This covers a variety of concerns including service acknowledging that communication could have been better, inadequate communication regarding meetings, lack of communication during periods of staff absence.

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

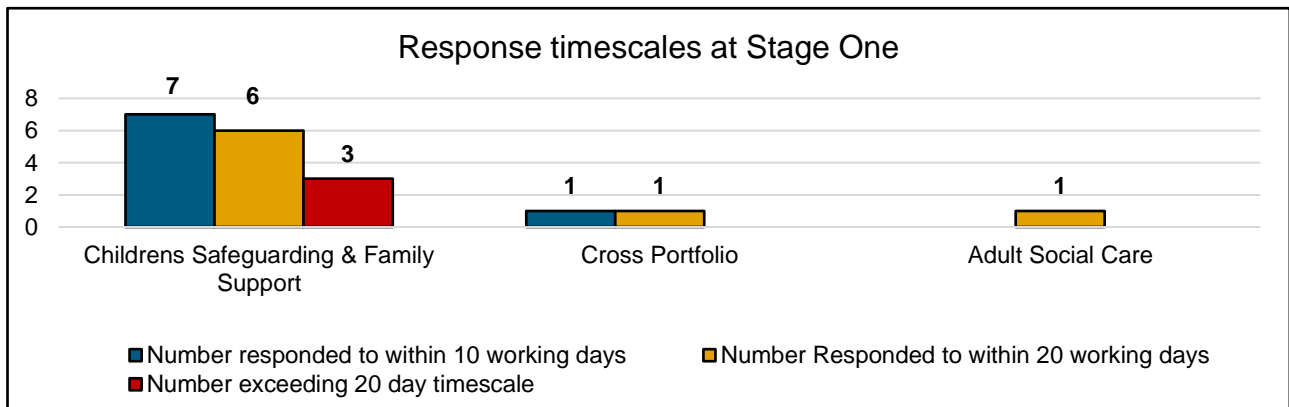
Our Children’s Statutory Complaints Policy has been written in line with The Children Act 1989 Representations Procedure (England) Regulations 2006, which outline how Children’s Statutory Complaints should be handled and the three stages involved.

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 19 complaints that were responded to in the year, 8 were responded to within the 10 working day timescale and 8 were completed within the 20 day extended timescale. Three complaints exceeded the extended 20 working day timescale.

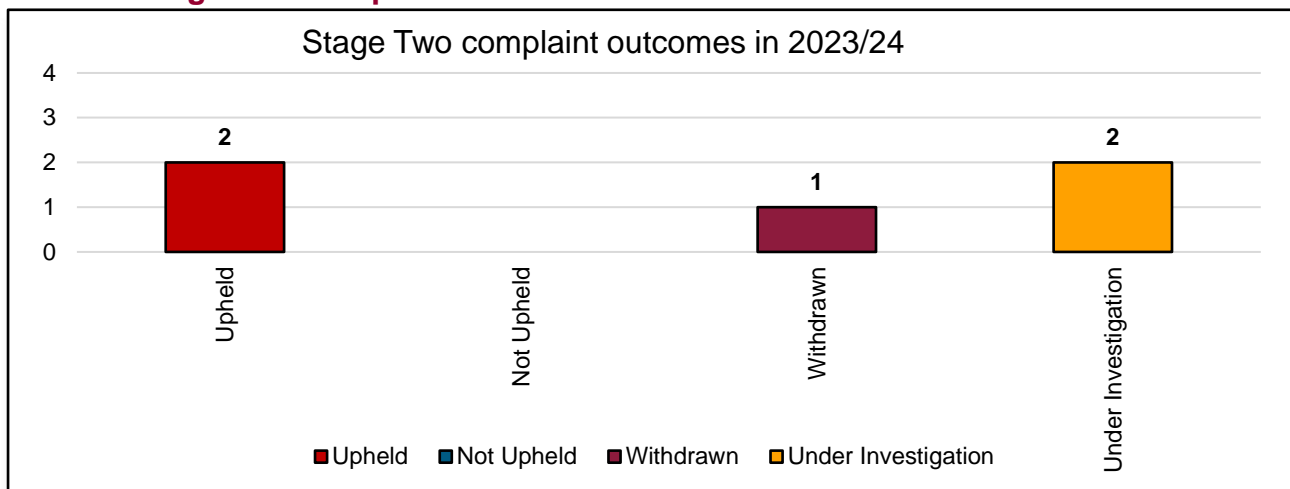
The average number of days to respond in Children’s Statutory Complaint was 14 working days, which is a decrease on the average of 16 days achieved in 2022/23.

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. Outstanding complaints are highlighted to the Director, Executive Director and Service Delivery Managers on a weekly basis. Six-weekly meetings take place with Directors to review all outstanding cases and learning. The work that has been completed since November 2020 has improved timescales from the levels experienced in 2020/21, more work will be done in 2024/25 to improve these timescales further going forward. During this year there has been further progress in upskilling Team Managers and Team Leaders in complaint handling which has also improved timescales in some teams.

Statutory Stage Two & Stage Three complaints

During 2023/24, five (26%) Statutory Stage One complaint progressed to Stage Two of the process.

Chart 8: Stage Two complaint outcomes in 2023/24



The two upheld complaints resulted in an apology for not completing appropriate planning, an apology for not referring to family connect correctly and for completing an annual budget review outside of local timescales.

The number of statutory Stage Two investigations in 2023/24 remained the same as the previous year where 5 investigations took place. 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 65, an increase on the 64 days in 2022/23.

Three complaints were resolved at Stage Two of the procedure however, one proceeded to a Stage 3 Panel. The outcome of which confirmed that the complaint was partly upheld confirming that there was a delay in compiling an annual budget review, complainant had been incorrectly referred to family connect when a professional should have done this and lack of communication to explain the Care, Education and Treatment Review board. It was recommended that the wording within the Education, Health and Care Plan be reviewed so that it is not open to interpretation.

The annual budget review processes have been reviewed and a senior manager will have oversight of the decisions made and will be involved in authorisation of budgets. A review has been conducted in respect of any training that has been provided, and further training will be explored where there is an identified need, to ensure that plans are reviewed ahead of the end of one plan, and the commencement of the next.

Learning and outcomes from Children's Statutory Complaints

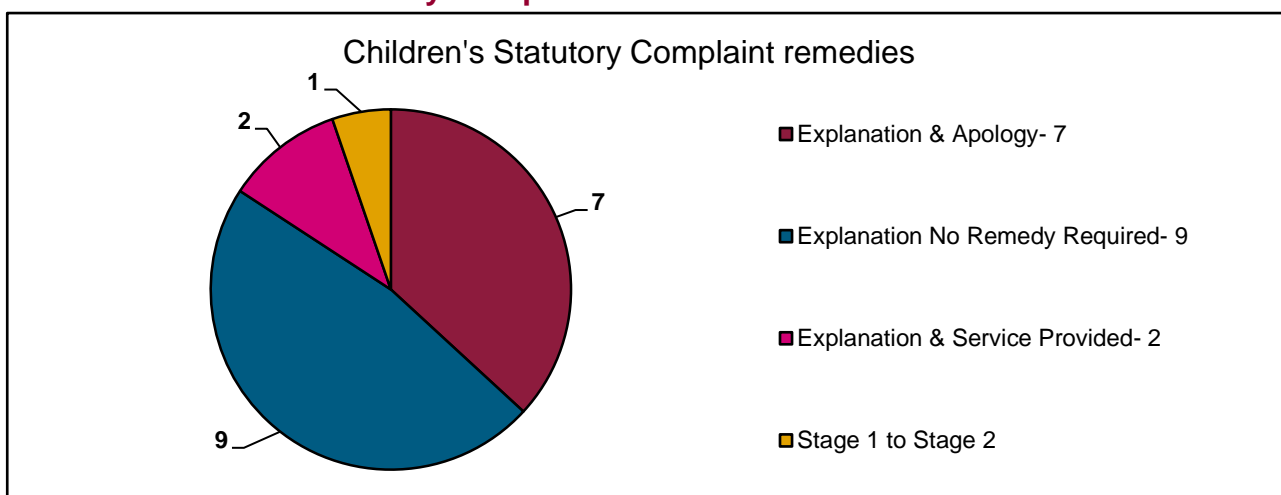
Complaints are a valuable source of information that can help to identify recurring or underlying problems and potential improvements. We know that numbers alone do not tell us everything about attitudes towards complaints and how they are responded to locally. Arguably, it is of greater importance to understand the impact that complaints have had on people and to learn the lessons from them to 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 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 2023/24



The top four remedies recorded against Children's Statutory Complaints in 2023/24 were:

- 36% were to provide an explanation and apology
- 47% were to provide an explanation and no remedy was required
- 11% were to Apology and actions were taken
- 11% were to provide information

Positive Improvements

Throughout the year, we record the learning identified from each complaint 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 to ensure there are procedures in place to ensure that visits and appointments continue to be completed and where necessary cancelled in the event of staff absence
- 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
- A review has been undertaken to provide better consistency of communication and that agreed communication timescales are met
- The Virtual School have been reminded of the importance of notifying safeguarding concerns promptly to our Emergency Duty Team
- Learning has been identified around forwarding complaints that are received by service to the Customer Relationship team
- A new process has been introduced for Child in Need review meetings, which identifies all information to be provided and signed for when a support plan is agreed
- A reminder has been issued that information around information sharing should be fully explained
- Support Plans are to be updated in preparation for when the previous plan expires so that there is no break in payments or support. The support plan, financial monitoring and direct payment paperwork should be undertaken at least a month prior to when the previous plan is due for renewal. A reassessment will also commence 3 months prior to the support plan ending to ensure timely identification of needs and outcomes to enable the support plan to be developed and implemented when the previous plan ends
- The Annual budget review processes have been reviewed and a senior manager will have oversight of the decisions made and will be involved in authorisation of

budgets. A review has been conducted in respect of any training that has been provided, and further training will be explored where there is an identified need, to ensure that plans are reviewed ahead of the end of one plan, and the commencement of the next

- Meetings with external providers arranged to review the referral process to understand in more detail where this could be improved as we continuously seek to improve our practice
- Learning from complaints regarding staff conduct shared with Practitioners to improve and support awareness of practice

Complaints made to the Local Government & Social Care Ombudsman

The Local Government & Social Care Ombudsman (LGSCO) has the authority to investigate complaints when 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.

Three statutory cases were escalated to the LGSCO in 2023/24. One was a premature referral; one was not investigated as it was subject to court proceedings and the other case is still under investigation.

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 received in 2023/24 increased from the previous year. However, 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 decreased by 13% during 2022/23 with the average number of days to respond to a statutory complaint decreasing from 16 days in 2022/23 to 14 working days. Overall, in 2023/24, 84% of complaints were responded to within the statutory timescale of 20 working days and 42% were responded to within ten working days, an improvement on the 29% in 2022/23.

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 year are:

- That a local complaint procedure is adopted that outlines the expectations for complaint handling, including contacting complainants within 3 days of the complaint being allocated, clear timescales for completing the investigation, response and quality check. A complaint investigation template should also be introduced which ensures that there is a clear record of the actions taken to investigate the complaint.
- 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?
- Services should continue to upskill Team Managers and Team Leaders in complaint handling to that there are more resources available to meet timescales.
- 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.

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 2024/25

During 2024/25, the Customer Relationship team and the Children's Safeguarding and Family Support Quality and Complaints Officer 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 a complaint workshop covering complaint procedures and how to both investigate and respond to complaints
- Providing complaint data to senior management monthly, 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 the Borough after looks them, 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.).

Complaint Procedure

When a complaint is first received, the Customer Relationship team will conduct 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 Children's Social Services 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 regarding 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).