



CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE:
3 SEPTEMBER 2024

CHILDREN'S SOCIAL CARE STATUTORY COMPLAINTS AND
COMPLIMENTS ANNUAL REPORT 2023/24

REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY SERVICES

Purpose of the Report

1. The purpose of this report is to provide the Committee with a summary of the Children's Social Care Statutory Complaints and Compliments Annual Report for 2023/24.

Policy Framework and Previous Decisions

2. The Children Act 1989 Representations Procedure (England) Regulations 2006 sets out the policy framework against which children's social care complaints should be considered.
3. Local authorities must, each financial year, publish an Annual Report (Regulation 13(3)).

Background

4. The Complaints Team, which sits within the Corporate Resources Department of the County Council, manage and co-ordinate complaints relating to three separate complaints systems:
 - a) Adult Social Care - a statutory process
 - b) Children's Social Care – a statutory process
 - c) Corporate Complaints – a non-statutory process, which considers complaints relating to other services provided by the Council and where there is no other form of redress.
5. The Children and Family Services Department is contacted daily by service users, carers and other parties with concerns or requests for information. These queries are dealt with at a local level within care teams or through the Director's office without recourse to the formal complaints process. The complaints team do, on occasion, also receive queries and concerns that suggest a child or young person may require immediate support or which raise safeguarding concerns. Such reports are best handled outside of the formal complaints procedure and are referred into the First Response team or allocated workers for urgent consideration as appropriate.

6. The Annual Report for Children's Social Care is appended to the report and provides a summary of the statistical information and headline issues emerging from the analysis of complaints activity for 2023/24.
7. At the request of the Scrutiny Commission at the meeting 12 June 2023, also appended is the Corporate Complaints Annual Report for 2023/24 and analysis is included of complaints about Children and Family Services. This is to allow the Committee to scrutinise and further explore all the departmental areas highlighted in both reports.

Childrens Social Care Statutory Complaints received and outcomes.

8. The number of complaints received in 2023/24 were as follows:
 - 81 complaints considered at Stage 1, compared to 84 in 2022/23
 - 8 complaints considered at Stage 2, compared to 10 in 2022/23
 - 4 complaints considered at Stage 3, compared to 5 in 2022/23
9. Using the figures relating to the number of referrals made to Childrens Social Care, 1.3% of those using childrens services needed to make a complaint. This is identical to the previous year.
10. The number of requests accepted at Stage 1 decreased very slightly this year by 6%.
11. It is important to note that some complaints regarding Childrens Social Care are not considered through the statutory procedure. The Council follows guidance from the Local Government and Social Care Ombudsman in determining such cases. This can be either because the complainant is not eligible, or the subject matter falls outside of the scope of the statutory procedure.
12. The Council considered 129 complaints under the corporate procedure a significant increase from previous year (57). The majority being Child Protection matters.
13. Taking this all into consideration, the overall number of complaints saw an increase as shown below.

Financial Year	Statutory Complaints	Corporate Complaints	Total
2022-23	86	57	143
2023-24	81	129	210

14. The number of complaints escalating to Stage 2 reduced this year by two. As a percentage of Stage 1 complaints this equates to an escalation rate of 9.8%, slightly down from last year.
15. There were complainants who requested escalation to Stage 3 after completing Stage 2. Again, a slight reduction from previous year (five)
16. Analysis of the complaints received show the main areas complained about were staff conduct / customer care and poor communication. These were very often interlinked.

17. During the year, nine complaints were received directly from children or young people with five represented by Children's Rights Officers or other advocates. This is very similar to 2022-23 and represents 11% of the overall volume.
18. The Complaints Manager continues to have good links with Children's Rights Officers. This is to ensure and validate that young people are not blocked in any way from accessing the formal complaints procedure.
19. The Council responded to 51 of the complaints at Stage 1 (63%) within the statutory maximum of 20 working days. Response timescales were flagged as an issue in the 2022/23 annual report (31% compliance rate), and it is pleasing to note significant progress here. Whilst still some work to do the direction of travel is positive.
20. There are often good reasons why complaints can exceed 20 working days to resolve, for example meetings being arranged. Whilst personal contact is positive and should be encouraged, statutory guidance makes clear this does not "stop the clock" in terms of the 20-working day deadline.
21. Timescales for Stage 2 complaints also improved during the year with two of the eight completed investigations completed within the statutory timescales of 65 working days.
22. The Council has continued to manage Stage 2 investigations through an in house "arms-length" investigator. This is helping with response timescales but more crucially with quality of reports and reducing un-necessary escalation.
23. Two of the four Stage 3 review panels held were convened and responded to within statutory timescales (50%). The remaining cases were delayed by the complainant's availability to attend a panel hearing.
24. The Local Government and Social Care Ombudsman investigated thirteen complaints relating to Children's Social Care during 2023-24 and found fault in six instances. Whilst this is an increase from last year, the figure is not directly comparable as it includes complaints regarding the Homes for Ukraine scheme which did not feature previously.
25. Financial payments totalling £2,300 were requested by the Ombudsman this year along with recommendations to review policies and procedures, strengthen complaint handling and take steps to improve record keeping and documenting key conversations with partner organisations.
26. The Council received 20 compliments and forwarded to the Complaints Manager during 2023-24. This is an increase on last year (11). The Complaints team continue to remind managers of the importance of recognising and sharing positive feedback, which bring balance to the annual report.
27. There is good evidence of learning from complaints at a local level with 15 of the 36 upheld complaints having clearly articulated actions to improve wider performance over and above resolving the individual issues.

Resource Implications

28. The annual report outlines that the costs incurred through the statutory complaints procedure were £12,750 a significant decrease of £31,400 from 2022/23. This is driven largely by the reduced costs of externally commissioned investigations.
29. This, together with improved consistency of reports, evidences the expected benefits from the department continuing to fund a full-time complaints investigator during the year 2023-24.
30. Other improvement activity will be carried out within existing resources and therefore there are no resource implications. The Director of Corporate Resources has been consulted on this report.

Corporate Complaints

31. Outside of the statutory procedure, and reported through the Corporate Complaints Annual Report, there were two services generating significant complaint volumes during the year.

Special Education Needs (SEN)

32. This service saw 285 formal complaints during the year which represented 26% of the overall total of corporate complaints.
33. The biggest factor in these complaints is delay in meeting statutory timescales. There remain acute national and local pressures around capacity of Educational Psychologists and availability of specialist places.
34. The Council continues to work to a DfE approved Accelerated Improvement Plan, but the demand pressures continue to be a significant challenge to reducing the volume of complaints.
35. There has however been positive progress made in reducing the timeliness of complaint handling through a number of initiatives and additional resources identified.

School Admissions

36. Although this area still saw 107 complaints recorded (10% of overall volume), it should be noted that this was a significant decrease from 2022-23 (237)
37. During the latter 2 quarters, this Service has stabilised with very few complaints now being received. This is testament to the positive service improvement work carried out during the year.

Background Papers

Report to Scrutiny Commission: 10 June 2024 – Annual Corporate Complaints and Compliments Report 2023/24:

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CIId=137&MIId=7444&Ver=4>

Equality Implications

38. The Children and Family Services Department supports vulnerable children and young people from across all communities in Leicestershire. Complaints and compliments are a way of ensuring that service responses are fair and equitable to all. This report does not highlight any specific equal opportunities implications.

Human Rights Implications

39. There are no human rights implications arising from this report.

Circulation under the Local Alert Issues Procedure

40. None.

List of Appendices

Appendix A – Childrens Social Care Statutory Complaints and Compliments: Annual Report 2023-24

Appendix B – Corporate Complaints and Compliments Annual Report 2023-24

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