

**Children and Young People Directorate**  
**Annual report on compliments, complaints and enquiries**  
**2021-2022**

**1. Executive Summary**

- 1.1 This report provides information on complaints and enquiries handled by the Children and Young People Directorate (CYP) between 1 April 2021 and 31 March 2022 and includes the annual report required by statutory guidance, in 'Getting the Best from Complaints' (Social Care Complaints and Representations for Children, Young People and others)\*.
- 1.2 The report includes information on complaints falling within the Council's corporate complaints procedure which were eligible for consideration by CYP, for the same period.
- 1.3 Enquiries from MPs, Councillors, the Mayor and general enquiries are also included, for the same period.
- 1.4 The report provides information on all stages of the complaints procedures, as well as complaints to The Local Government and Social Care Ombudsman (LGSCO).

**2 Purpose of Report**

**To provide:**

- 2.1 Numbers of complaints and representations received by CYP;
- 2.2. Information about compliance with timescales;
- 2.3. Key themes of complaints;
- 2.4. Outcomes of complaints;
- 2.5. Insights for learning and service improvements;
- 2.6. Information about monitoring and quality assurance.
- 2.7. Details about independent advocacy services.

**3 Stage 1 complaints and enquiries**

3.1. Response times:

- Statutory complaints: 10 working days, with option to extend to 20 working days for complex complaints
- Corporate complaints: 10 working days
- MP/Mayor/Councillor enquiries: 10 working days.

3.2. **Table 1. Total of new cases received over past three years**

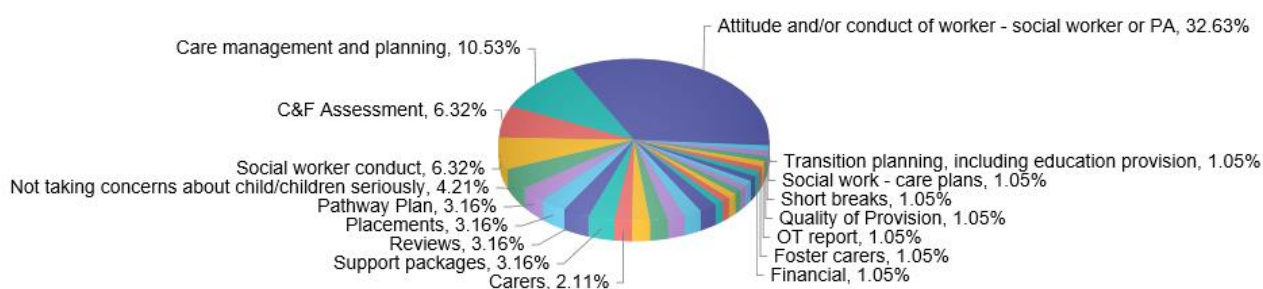
2019/2020	2020/2021	2021-2022
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325	286	289
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### 3.3 Table 2. Breakdown of new cases received 2021/2022

Period	Stage 1	Children Act Stage 1	General enquiry	Mayor enquiry	Member enquiry	MP enquiry	Compliment	Chief Executive enquiry	Total
Q1	16	34	2	1	2	14	1	0	70
Q2	23	28	4	2	4	18	1	1	81
Q3	9	13	5	3	3	21	2	2	58
Q4	20	23	5	9	1	19	1	2	79
<b>Total</b>	<b>68</b>	<b>97</b>	<b>16</b>	<b>15</b>	<b>10</b>	<b>72</b>	<b>5</b>	<b>5</b>	<b>289</b>

### 3.4. Table 3. Classifications of new cases



### 3.5. Table 4. Stage 1 Complaints and enquiries with % responded on time

Period	Stage 1	Children Act Stage 1	Compliment	General enquiry	Mayor enquiry	Councillor enquiry	MP enquiry	Chief Executive enquiry
Q1	38% (5/13)	27% (9/33)	100% (1/1)	67% (2/3)	33% (1/3)	0% (0/2)	41% (7/17)	N/A
Q2	67% (14/21)	26% (7/27)	100% (1/1)	33% (1/3)	100% (2/2)	100% (2/2)	50% (7/14)	N/A
Q3	38% (5/13)	50% (7/14)	100% (2/2)	50% (1/2)	33% (1/3)	40% (2/5)	39% (7/18)	0% (0/3)
Q4	38% (6/16)	30% (6/20)	100% (1/1)	50% (4/8)	88% (7/8)	0% (0/1)	39% (9/23)	0% (0/2)

### 3.6. Table 5. Cases responded to within timescale – by Division

	Stage 1	Children Act Stage 1	Compliment	General enquiry	Mayor enquiry	Councillor enquiry	MP enquiry	Chief Executive enquiry
<b>Children's Social Care</b>	100% (1/1)	28% (24/85)	100% (4/4)	50% (2/4)	33% (2/6)	33% (1/3)	48% (12/25)	0% (0/2)
<b>Education Services</b>	46% (27/59)	50% (4/8)	100% (1/1)	63% (5/8)	90% (9/10)	50% (3/6)	39% (16/41)	0% (0/3)
<b>Commissioning and Early Help</b>	67% (2/3)	100% (1/1)	N/A	25% (1/4)	N/A	0% (0/1)	33% (2/6)	N/A

### 3.7. Table 6 Outcome of Stage 1 complaints

Outcome	Stage 1	Children Act Stage 1	Total	%
<b>Not upheld</b>	21	44	65	41%
<b>Partly upheld</b>	20	30	<b>50</b>	<b>33%</b>
<b>Upheld</b>	21	17	<b>38</b>	<b>25.5%</b>
<b>Resolved on receipt</b>	1	0	<b>1</b>	<b>0.5%</b>
<b>Total</b>	<b>63 (40%)</b>	<b>93 (60%)</b>	<b>154 (100%)</b>	<b>100%</b>

### 3.8. Recurring themes of upheld and partially upheld Stage 1 complaints

Outcomes of upheld and partially upheld complaints reflect a range of issues, the top six being:

- Communication (e.g. not keeping people informed/updated about developments, plans, meetings, conferences)
- Staff conduct (e.g. inappropriate comments and behaviour from allocated workers, perception of bias towards particular member(s) of family)
- Service delays – Educational Health Care Plans (e.g. delays in delivering services set out in plan, procedures/statutory timescales not being met)
- Customer Service - (e.g. lack of help for families, children and young people, for example to move into independent accommodation, during times of crisis, delay in allocating social worker/support worker)
- Service performance (e.g. disagreement with decisions, assessments; case closure)
- Financial: late or missed payments for foster carers, dispute over overpayment

3.9. These themes are similar to previous two years

## 4. Stage 2 complaints

4.1. Response times:

- Statutory complaints: 25 working days, with option to extend to 65 working days
- Corporate complaints: – 20 working days

#### 4.2. Table 7. Stage 2 requests received

	Requests received	Accepted for investigation	Withdrawn	Rejected	Resolved by ADR
<b>2021-22</b>	<b>33</b>	<b>18</b>	<b>3</b>	<b>9</b>	<b>3</b>
Children Act	21	9	3	8	1
Corporate	12	9	0	1	2
<b>2020-21</b>	<b>29</b>	<b>12</b>	<b>0</b>	<b>9</b>	<b>8</b>
Children Act	20	5	-	9	6
Corporate	9	7	-	0	2
<b>2019-20</b>	<b>25</b>	<b>10</b>	<b>4</b>	<b>7</b>	<b>4</b>
Children Act	18	5	3	6	4
Corporate	7	5	1	1	0

- 4.3. As can be seen from the above table, requests for Stage 2 complaints (of both types) has been increasing over the past three years.
- 4.4. In 2021-22, for corporate complaints, all but one related to SEN team. For Children Act complaints, the highest number of requests related to R&A and FSS (eight for each service).
- 4.5. It remains the case that the majority of complaints are successfully resolved at Stage 1. A total of 165 complaints were received during the year; 20% were escalated by complainant, 8.5% were accepted for investigation. See Table 7.
- 4.6. However of those accepted for investigation 57% were upheld or partly upheld.

#### 4.6. Escalation reasons

4.7. The three main reasons for people asking for Stage 2 are as follows:

- Complaints about failure to deliver policy and/or procedure in a timely and effective way. The majority of these related to EHCP issues; they also included a complaint about approach to care planning for a placement move, and one where the complainant felt procedure had not been followed when assessing her as a homeless young person.
- Assessments: disagreements with accuracy of reports and assessments by social workers.
- Attitude/conduct of allocated worker/manager: perceived bias of social work team against father, racist attitudes, conduct of staff relating to an absence from school issue.

#### 4.8. Table 8. Outcomes of Stage 2 complaints

Outcome	Corporate	Children Act	Total
Not upheld	1	5	6
Partly upheld	4	1	5
Upheld	3	0	3

<b>Total</b>	8	5	<b>14</b>
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#### 4.9. Actions arising from upheld and partly upheld Stage 2 complaints:

1	Apologies for delays, lack of communication, lack of action in EHCP procedures leading to failure to meet statutory timescales*
2	Offers to meet and discuss way forward for families; commitment to prioritising necessary action(s)*
3	2 x £300 payments for complainant and son (for delay in holding Annual Review)
4	Evidence of DBS clearance and copy of service specification with transport provider provided to complainant
5	Apology for failing to discuss outcome of CFA with complainant; other outcomes to be discussed further with Head of Service, if complainant wishes.

\* applies to multiple complaints

## 5. Stage 3 complaints

### 5.1. Response times:

- Corporate complaints – 30 working days. The Independent Adjudicator (IA) deals with Stage 3 complaints on behalf of the Council.
- Statutory complaints (review panel) – 30 working days to convene and hold the Review Panel, 5 working days for the Review Panel to issues its findings and 15 working days for the Executive Director to respond to the findings.

### 5.2. Table 9. Stage 3 requests received.

	Requests received	Accepted	Withdrawn	Rejected
<b>2021-22</b>	<b>9</b>	<b>7</b>	<b>0</b>	<b>2</b>
<b>Children Act</b>	5	3		2
<b>Corporate</b>	4	4	0	0
<b>2020-21</b>	<b>7</b>	<b>6</b>		
<b>Children Act</b>	2	1	0	1
<b>Corporate</b>	5	5	0	0
<b>2019-20</b>	<b>11</b>	<b>6</b>		
<b>Children Act</b>	6	3	2	1
<b>Corporate</b>	5	3	2	0



### 5.3. Table 10. Details of Stage 3 complaints completed during the year

Case Type	Service	Details	Outcome	Remedy
Corporate	Integrated Services and SEND	Failure to arrange transition to secondary school; failure to provide alternative provision	Partly upheld	Apology for failing in duty to provide alternative provision for period of nine weeks; £900 payment for loss and £100 for avoidable stress
Corporate	Integrated Services and SEND	Delay in responding to request for EHCNA	Partly upheld	Outcome the same as for Stages 1&2 (apology for delay in actioning the request); IA concluded there was nothing further to add.
Corporate	Integrated Services and SEND	Delay in issuing EHCP and subsequent delivery of the plan caused loss of education for son and distress for family	Partly upheld	Apology for delay and poor administrative practice; payment of £1,000 for this fault; £400 payment for avoidable stress (£250 for complainant, £150 for son)
Children Act	FSS	Lack of information and communication from social work team about son in care	Not upheld	None as a result of original complaint; £100 payment offered for delay in starting Stage 2
Children Act	Corporate Parenting	Failure to arrange contact sessions with daughter, to comply with court order.	Not upheld	None

Five complaints were completed during the year.

## 6. Local Government and Social Care Ombudsman (LGSCO) complaints

### 6.1. Table 11. Numbers of complaints received in 2021-22 (with initial decision)

Case type	Numbers received	Service	Decision
Children Act	4	Corporate parenting	1 case out of time; 1 case the complainant is not authorised to complain; 1 case outside jurisdiction; 1 case to be investigated
	2	Referral and Assessment	To be investigated
	3	Family Support and Safeguarding	1 case a premature complaint; 1 out of time; the other to be investigated
	4	Children with Disabilities	2 premature complaints; 2 to be investigated
	1	Access, Inclusion and Participation	Out of time
Corporate	4	SEN team	1 premature complaint; 1 case NFA as Council has already resolved this; 2 to be investigated
<b>Total</b>	<b>18</b>		

6.2. Following a sharp dip in the numbers of LGSCO complaints received in 2020-21 (6), the number received during 2021-22 was back to similar numbers in earlier years.

**6.3. Table 12. LGSCO complaints completed during 2021-2022.**

Case type	Service	Details	Decision	Remedy
Children Act	CWD	Failure to fully assess needs of family; lack of support and services for son and family; unprofessional conduct by social worker	Fault causing injustice: references to complainant holding racist views without evidence, delay in setting up direct payment, failure to send copy of CFA assessment within reasonable time	£550 to recognise failures; detailed letter of apology for the identified failures
Children Act	R&A	Failure to take children into care, resulting in them being subjected to neglect and emotional suffering from their parents.	Fault in not carrying out comprehensive assessment in 2013; fault in not progressing discussions about support options with each sibling	Letter of apology and payment of £1400 (between the siblings)
Corporate	SEND	Delays in EHCP process left son without education	Fault causing injustice in failure to provide education May-June 2020 and delay in issuing amended EHCP in 2020;	Council had already accepted these faults and offered remedy. O recommended additional £250 to recognise distress and uncertainty while no education in place
Children Act	Corporate Parenting	Failure to safeguard complainant as an LCA and lack of support as a care leaver.	Fault causing injustice: failure to safeguard complainant, lack of robust follow-up to complaint investigation and inadequate remedy offered as outcome	Payment of £7,500 to recognise failings and for avoidable distress; provide complainant with outcome of LADO enquiries.
Children Act	Corporate Parenting	Did not receive guidance and support needed at the time of child's birth; child was subsequently removed from complainant and placed for adoption. Council refused to investigate complaint.	No fault in decision not to investigate the complaint. Outside jurisdiction as complainant had opportunity to raise these issues during care proceedings	

**7. Monitoring and Quality Assurance**

- 7.1. Weekly trackers are circulated throughout CYP to assist with meeting Stage 1 timescales.
- 7.2. Reminders to staff completing responses are sent 3 days before response is due.
- 7.3. Reminder emails sent on behalf of Executive Director are sent for all overdue cases, on a weekly basis.
- 7.4. Responses are rigorously quality checked before being sent out.



- 7.5. Quarterly reports are prepared to inform the quality assurance cycle, and are presented to DMT for discussion, reflection and further action.
- 7.6. The Monitoring and Quality Assurance process is currently being reviewed to develop robust, customer focussed, and effective monitoring and quality assurance processes which will inform services improvement plans.

## **8. Independent Advocacy**

- 8.1. Advocacy services for young people have been delivered by National Youth Advocacy Service (NYAS) since 1st January 2020.
- 8.2. The contract requires NYAS to deliver a minimum of 1,000 advocacy hours per year, with an option for the Council to spot-purchase up to 500 additional hours on top of this, as needed.
- 8.3. The Advocacy Service works with children and young people in these eligible groups:
  - Children Looked After who want or need to be supported to attend formal meetings, such as CLA Reviews, in order to get their wishes and feelings heard
  - Children Looked After and Care Leavers who have a concern about their care that they don't feel has been sufficiently addressed by the Council, and so may wish to raise a complaint
  - Children and young people that are subject to Child Protection Plans where the child or social worker feels the support of an advocate would be beneficial at conferences.
  - Supporting young people at Family Group Conferences.
- 8.4. Referrals for the advocacy service can either be a self-referrals, from family, carers or a referral from a young person's social worker, personal advisor, participation manager, independent reviewing officer or CP conference chair.
- 8.5. The service provides time-limited support, information and representation from independent advocates. This will support Children Looked After (CLA), care leavers and children subject to Child Protection Plans when decisions are made about their lives, or when they wish to raise a concern about a service they have received.