

**Children's Services Complaints, Comments and
Compliments**

Directorate of Children's Services

Annual Report

1st April 2019 to 31st March 2020

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ASS = Assessment Team

CM Pod = Care Management

CIC = Children in Care

EDT = Emergency Duty Team

FAST = Intervention and Prevention Team

YOT = Youth Offending Team

ART = Adolescent Response Team

EHCP= Education Health Care Plan

1. PURPOSE

Every Local Authority with a responsibility for Social Care Services is required to provide an annual report into the operation of the complaints and representations procedures.

This report provides information relating to all compliments, statutory and corporate complaints received in respect of Children's Services during the period 1st April 2019 to 31st March 2020.

2. OVERVIEW OF COMPLAINTS PROCEDURE

The procedures for Children's complaints are determined by legislation, predominantly involving the: -

- Children Act 1989, Representations Procedure (England) Regulations 2006.
- The Children & Adoption Act 2002 and Children (Leaving Care) Act 2000.

However, some complaints fall outside the statutory process. This is where the complainant does not meet the requirements to be considered under the statutory process, e.g. a grandparent who does not have parental responsibility makes a complaint about contact arrangements, someone is unhappy with regard to the conduct of an officer not directly connected to their child. In these cases the complaint is dealt with under the two stage corporate complaint process. All complaints received are included in this report.

All Children who wish to make a complaint are offered the services of an independent advocate. This is provided by The Children's Society, Black Country Advocacy Service, The Workspace, All Saints Road, Wolverhampton, WV2 1EL, Telephone 01902 877563, Free phone 0800 6523839, childrensociety.org.uk. Staff from the Social Care Complaints Team can and do assist children and young people where necessary to ensure details of their complaint are fully obtained and registered.

The Council's website provides full information regarding how to make a complaint. There is also the facility to register a complaint via the website.

Please see following links to Social Care Complaints and Compliments web pages.

Statutory: <http://www.dudley.gov.uk/resident/care-health/children-and-family-care/complaints-and-compliments/>

Corporate: www.dudley.gov.uk/council-community/compliments-comments-complaints



The three stages of the statutory process can be summarised as follows

Stage 1 - Local Resolution: The complaint is investigated by the relevant manager / team. This is overwhelmingly the Stage at which the majority of all complaints are resolved.

Stage 2 – Formal Investigation: This is where the complaint has not been resolved at Stage 1 and the complainant has decided that they want an independent investigation into the complaint.

Stage 3 – Panel: Where Stage 2 of the complaints procedure has been concluded and the complainant is still dissatisfied, they can request further consideration of the complaint by a Review Panel. Generally, the Review Panel should not reinvestigate the complaints, nor should it consider any substantively new complaints that have not been first considered at Stage 2.

Ombudsman: Once the three stage statutory process has been exhausted a complainant has the right to take their complaint to the Ombudsman.

The Social Care Complaints Team

The Social Care Complaints Team is part of the Integrated Commissioning Hub within the People Directorate. The team are responsible for the day to day operation and management of all Social Care complaints for Children's Services.

A substantial proportion of the complaints received can reasonably be described as complex, requiring significant time and effort from the area of service involved.

The Complaints Team work in partnership with Children's Services managers and offer support and guidance to try to find a resolution that is both appropriate and will provide a satisfactory resolution to the complainant. These efforts can, as appropriate, prevent complaints from escalating to Stage 2 of the complaints procedures which is both costly and time consuming for all parties involved.

The Social Care Complaints Team can be contacted for advice and information regarding making a Complaint, Compliment or Comment on 01384 814724 / 812417 or by email at complaints.socialcare@dudley.gov.uk or in writing to The Social Care Complaints Team, 3-5 St James's Road, Dudley, DY1 1HZ

3. HEADLINES

All complaints that were registered this year received an acknowledgement and a response. The following information was extracted from the complaints data base on the week beginning 4th May 2020.

The key data for 2019/20 can be summarised as follows:

There was again an increase in the total number of compliments received for the period 1st April 2019 to 31st March 2020. A total of **108** compliments were received over 28 teams compared to 82 for the same period the previous year.

A further review of the process to capture any learning from complaints has also been undertaken as capturing learning from complaints still proves challenging at times.

All complaint responses that have been upheld or partially upheld and continue to be shared with the Centre for Professional Practice who, where applicable, ensure that cases can be analysed and any learning identified taken forward.

Additionally greater use of national Ombudsman data and reports is starting to be used. These reports are shared weekly with a range of staff who may be able to identify good practice that can be incorporated into the work of the service.

The total number of statutory and corporate complaints received was **202**. This is slightly less than the **205** received during 2018/19 and represents a 2% overall reduction.

It should be noted that Children's Services receive on average of around 10,850 contacts per year meaning that less than 2% of all contacts result in a complaint being raised. Furthermore it should be noted that less than 0.6% of all contacts result in a complaint being upheld or partially upheld.

The **202** complaints are broken down as follows:

28 statutory complaints (**69%**) decrease on 2017/18 (91 compared to 28)
174 corporate complaints (**34%**) increase on 2018/19 (174 compared to 114)

Therefore, the overall number of complaints has remained relatively the same.

The continued analysis of complaints to ensure they are managed under the correct procedure has contributed to the movement in these numbers compared to the previous year. Work continues, in what is a complex area, to ensure cases are managed appropriately. The Ombudsman is due to publish a further paper in terms of how to treat Children Services complaints later this year which may again shift the balance in these numbers.



The three main issues arising concerned quality of service-support, communication-lack and staff behavior/attitude. This is broadly the same as the main reasons for complaints during 2018/19.

12 comments were received.

There were **2** complaints which was progressed to a stage two investigations. One is in relation to a complaint regarding the dissatisfaction of parent of the way transition from children services to adults and how case has been handled

The second case is in relation to delayed payments for an adopted child and the lack of communication between services. Both cases are currently still being progressed

There has been **1** complaint which has progressed to a stage three review panel. This is as a result of dissatisfaction with stage two investigation outcome report and is still in the process of being arranged due to the Co Vid 19 situation.

A total of **2** cases proceeded to the Ombudsman. This compares to **1** case in 2018/2019. The Ombudsman investigations were regarding the following:

- Regarding treatment of independent company employee and the resulting consequences this case was partially upheld and the ombudsman's findings were accepted
- Issues around the accuracy of an assessment report and disclosure of personal details. This case was not upheld. The Ombudsman found no fault against the Council.

There were no public reports issued against the Local Authority. The Ombudsman may issue a public report if it is decided that it is in the public interest to highlight the issues it has raised.

32% of statutory complaints were either upheld or partially upheld which is a decrease on the **47%** for 2018/19.

33% of corporate complaints were either upheld or partially upheld. This is a decrease compared to **38%** in 2018/19.

32% of statutory complaints received a response with 10 working days. This is an improvement on the **25%** for 2018/19. **57%** of statutory complaints received a response within 20 working days. This is a slight improvement on 2018/19 performance when **51%** were responded to within 20 working days.

38% of corporate complaints received a response within 20 working days. This is a decline on the 2018/19 performance when **51%** were responded to within 20 working days.

Therefore overall the service still faces challenges in terms of responding to complaints within the required timescales. The Complaints Team provides regular

reminders and offers support where applicable. Additionally trackers are produced on a regular basis to highlight cases either coming up to the response deadline or those that have exceeded it.

During the period 1st April 2019 to 31st March 2020 Children's Services received/registered **28** statutory complaints. This compares to **91** for the period from April 1st 2018 to 31st March 2019. This represents a decrease of **63** cases (**69%**).

In addition, we registered **174** complaints under the corporate complaints process. This compares to **114** for the period April 1st 2018 to 31st March 2019. This represents an increase of **60** cases (**53%**).

Out of a total of 28 statutory complaints received **4**, were upheld, **14%** and **5** were partially upheld, **18 %**. This compares to a total of **91** statutory complaints received for the period 1st April 2018 to the 31st March 2019 of which **28** were upheld, **31%** and **15** were partially upheld, **16%**.

Therefore there has been a decrease in the number of statutory complaints upheld with the number partially upheld increasing slightly

Out of a total of **174** corporate complaints received **23** were upheld, **13%** and **34** were partially upheld, **20%**. This compares to a total of **114** corporate complaints received for the period 1st April 2018 to the 31st March 2019 of which **24** were upheld, **21%** and **19** were partially upheld, **17%**.

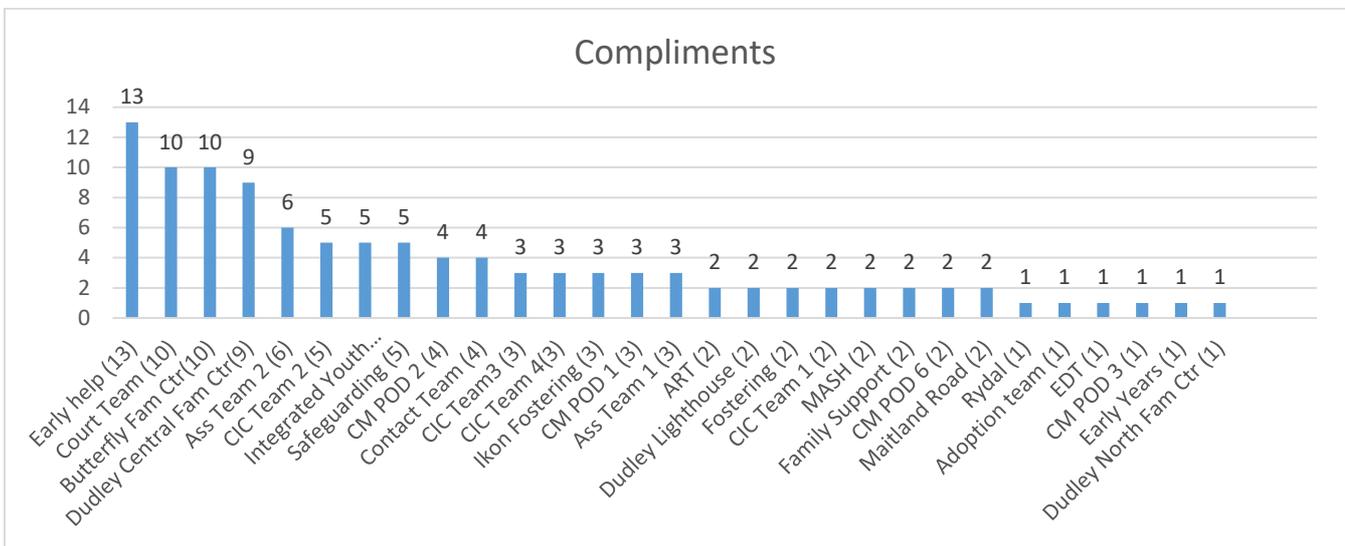
Therefore again there has been a decrease in the number of complaints upheld with the number partially upheld slightly increasing.

Of the **205** statutory and corporate complaints received **14** of these were from young people which is almost the same as the previous year.

Informal comments: This is where someone may wish to raise an issue without it being a request to formally register a complaint. We recorded **12** such comments this year. Compared to **21** for the period 2018/19 which is a decrease of **9 (43%)**.

4. COMPLIMENTS:

The total number of compliments received for the period 1st April 2019 to 31st March 2020 was **108** compliments divided over 29 teams. This compares to 82 for the same period in the previous year. Compliments originate from internal and external sources. Staff are actively encouraged to pass on compliments for registration as they can also be a useful tool for learning and good practice and for staff morale.



The Early Help service received the most compliments, **13** followed by the Court Team and Butterfly Family Centre (**10**) each.

5. EXAMPLES OF COMPLIMENTS

Below are just a selection of compliments received

- I'm writing to say how well xxxx has done with me and xxxx. Without xxx me and xxxx wouldn't be where we are today. She has done all the hard work & I'm so glad she has been our allocated social worker.

She puts us first. She's always making sure xxxx is okay and is also there if I ever feel down. Without xxx I wouldn't get through it all. xxxx has picked me up whenever I've needed her. She is brilliant at her job she put all her time and effort into it and there is not many people who do that in this kind of job and I would be happy to give her a reference for anything. I wish xxx all the luck in the future too.

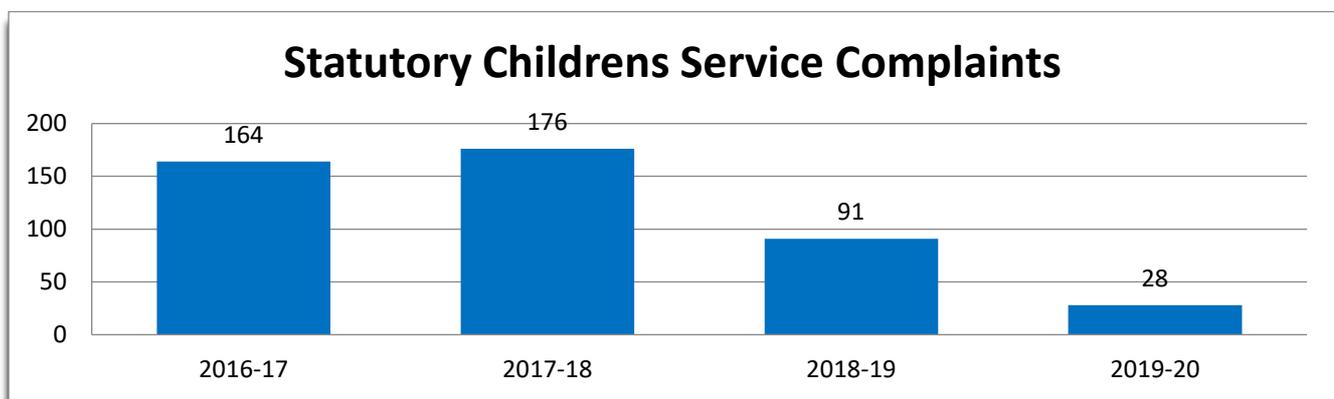
- I just wanted to drop an e-mail to express my appreciation for your input on the xxxx case. You have both gone above and beyond (in my view). It has definitely been a case of best practice which I know we all strive to do but at times caseloads and pressures take over us. So thank you because by working together, things have become more transparent, leading to a well-informed risk management plan.
Perfect joined up working.
- I will be kind of sad as of today as xxx will no longer be coming to visit us due to our deallocation. She was very friendly and professional. If we ever needed any assistance or pointers she was there and kept us well updated. xxx is a

great asset to the Dudley Children Service and I would like to say thank you and say I will miss her visiting and so will xxx. As for xxx, xxx was the back bone, she allocated and sorted the problems of previous social workers. She was very reasonable and was always available at the other end of the phone. She was very professional and lovely natured (Kind hearted) again, I can't explain how much xxx and xxx have done for us and made our life easy. I would just like to say thank you.

- I have come into contact with xxx on a number of occasions and have been very impressed with how approachable and supportive he is with everybody including partner agencies and members of the public. I attended his briefing at Halesowen Family Centre and again he left a lasting impression of how passionate he is about the voluntary sector and promoting early help. I am sure you are aware that xxx was also asked questions at this meeting which were not really for that arena but he handled it really well. xxx is a fantastic addition to the early help service and to have some more great male role models.

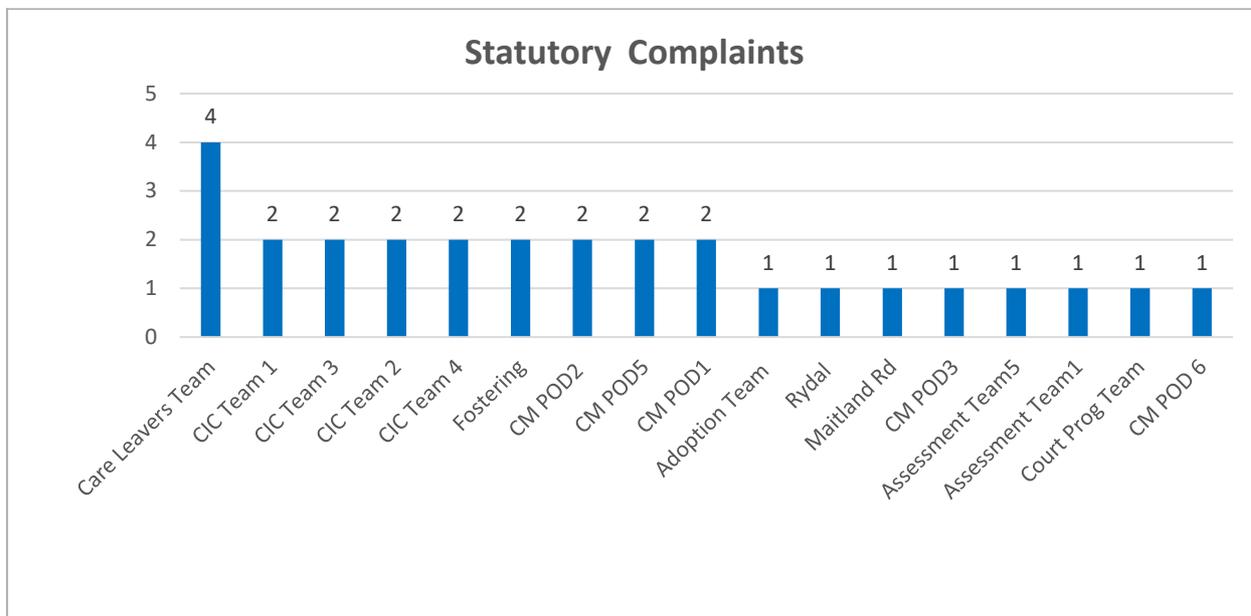
6. STATUTORY COMPLAINT ACTIVITY/SERVICE AREAS

The chart below provides a comparison with regards to the number of **statutory** Children's Services complaints registered over the last 4 years. The second chart shows the service areas against which complaints were registered during 2019/2020.

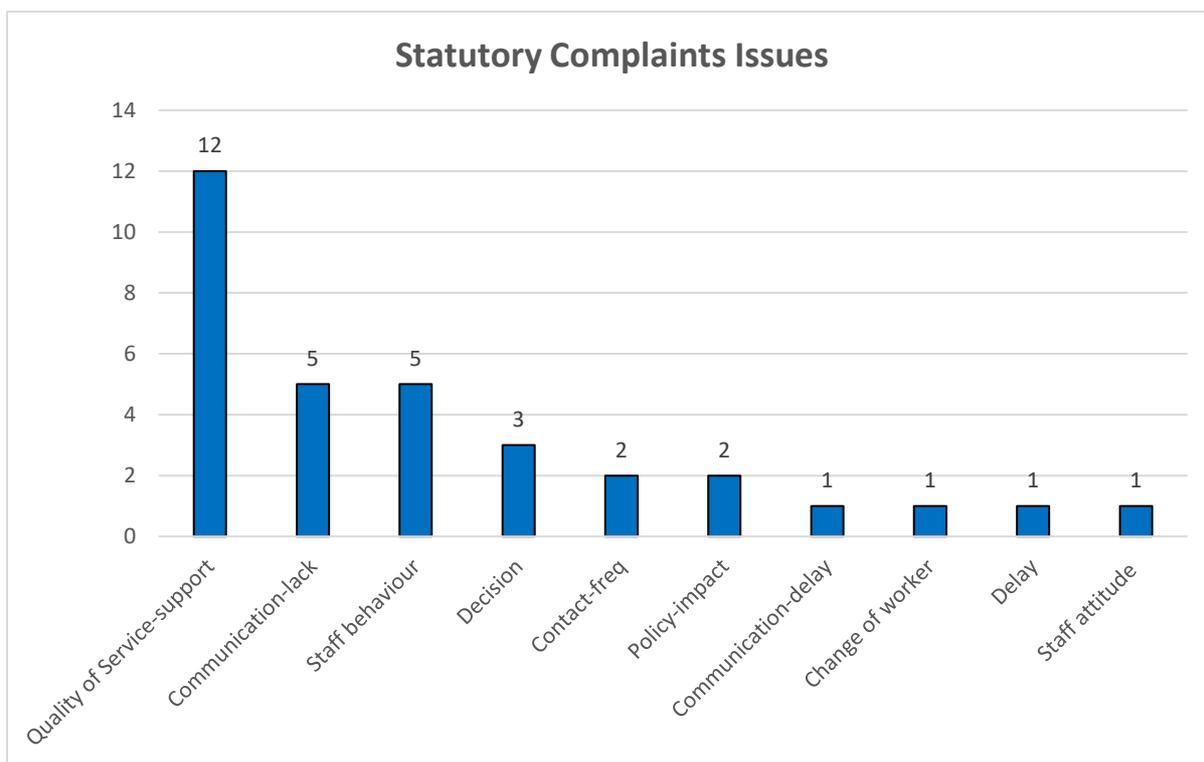


Breakdown of Service areas receiving statutory complaints 2019/20:

The **28** statutory complaints received, during 2019/20 were in respect of the following service areas.



Areas of Complaint: The following chart shows the most common types of complaint issues received for statutory complaints. There have been **33** issues over 10 areas.

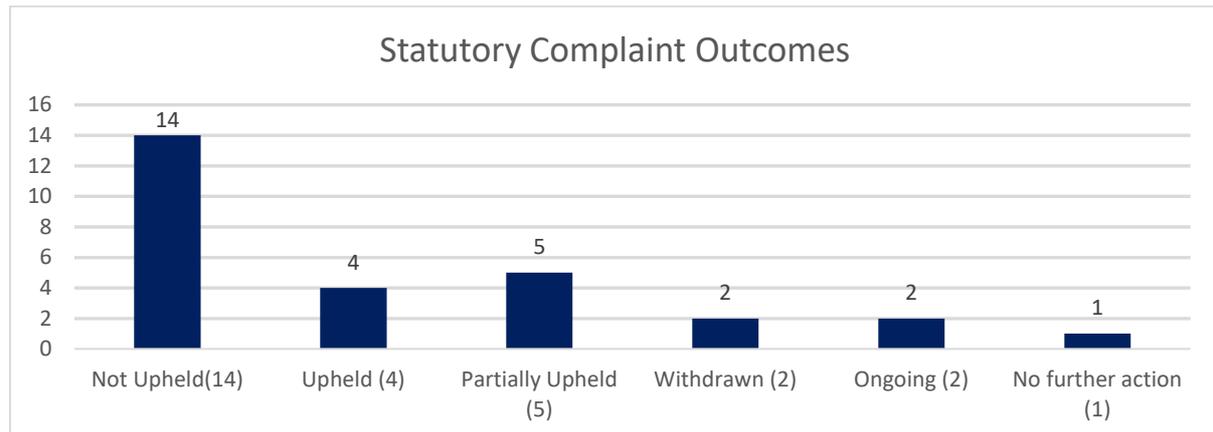


The largest number of issues recorded, were in respect of quality of support **12**, followed by communication **and** staff behaviour **with 5**, each.

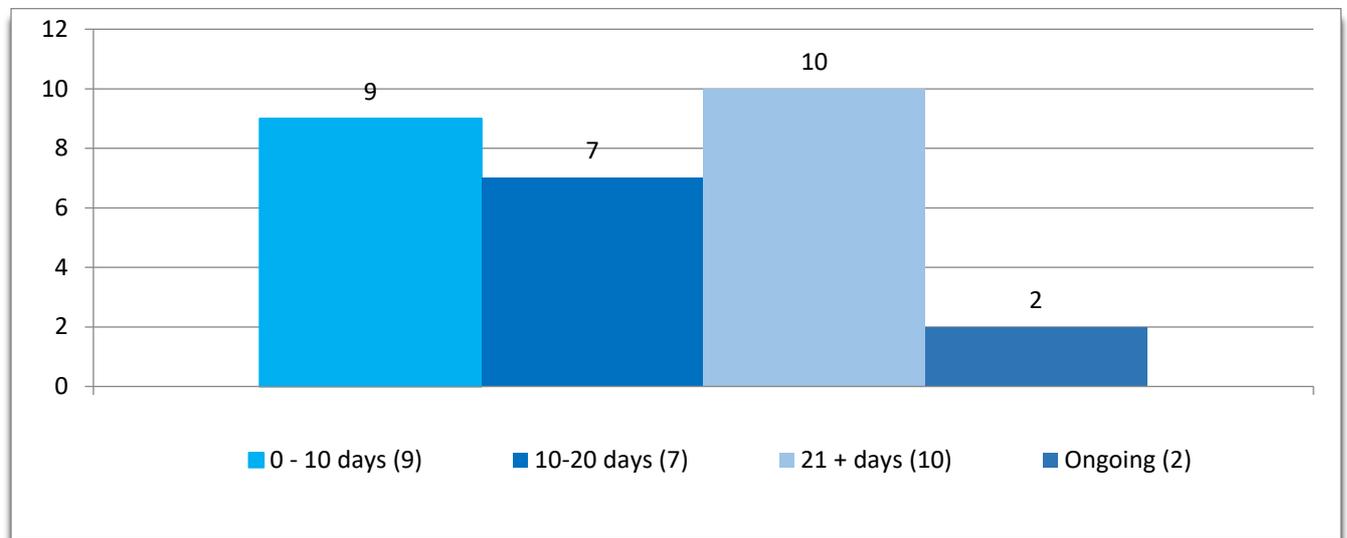
A further analysis of the top three most common areas of statutory complaints has shown that only 14% of complaints were upheld and they were in relation to quality of service support, communication and delay.

7. STATUTORY COMPLAINTS OUTCOMES:-

The chart below indicates that the majority of statutory complaints for the year 2019-2020 were not upheld, **14 (50%)** compared to **43 (47%)** in 2018/19. This shows that while the overall number of complaints has decreased the number of complaints not being upheld has remained relatively the same.



8. STATUTORY COMPLAINT RESOLUTION TIMESCALES: The chart below shows how quickly complaints were responded to.



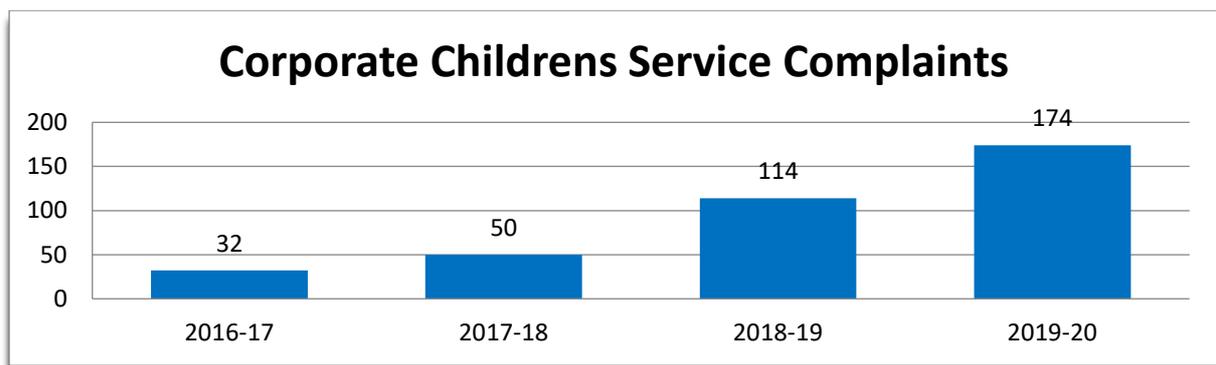
Timescales The statutory timescale for responding to a complaint is 10 working days which can be extended for a further 10 working days.

During 2019/20, 32% of statutory complaints received a response within the statutory 10 working day timescales. A total of 57% received a response within 20 working days. This compares to 25% being responded to within 10 working days in 2018/2019 with a total of 51% receiving a response within 20 working days.

Therefore, whilst there has been some improvement in overall performance in this area with prompt response times proving a continued challenge.

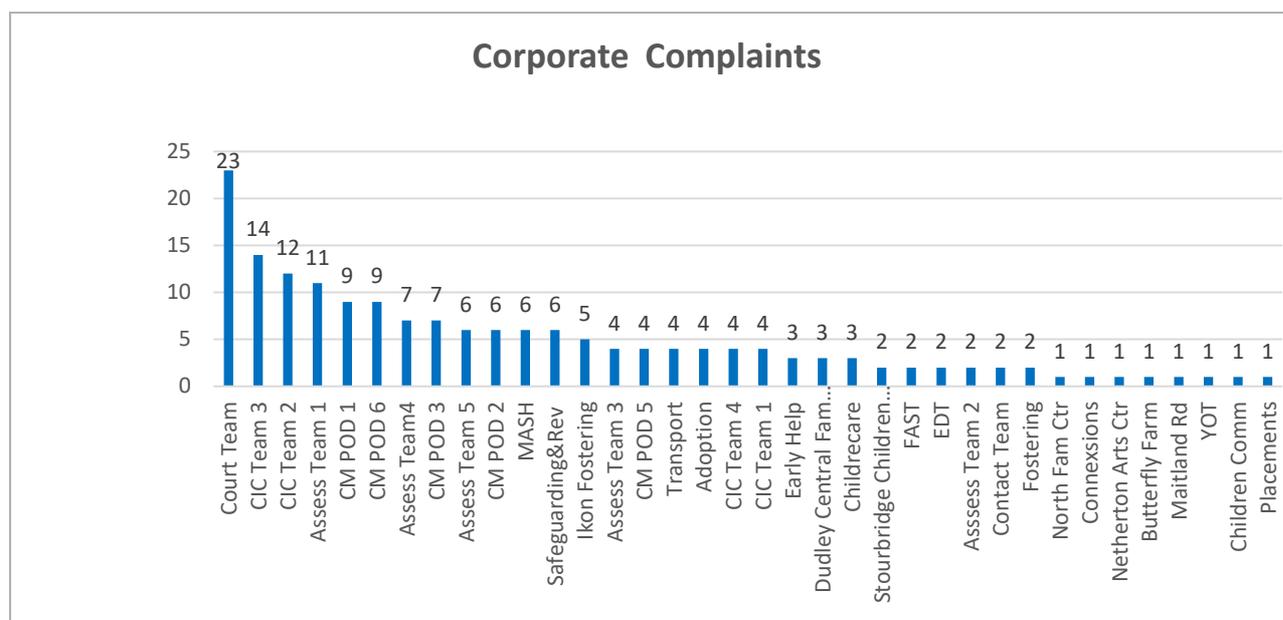
9. CORPORATE COMPLAINT ACTIVITY /SERVICE AREAS

The chart below provides a comparison with regards to the number of **corporate** Children’s Services complaints registered over the last 4 years. The second chart shows the service areas against which corporate complaints were registered during 2019/2020.

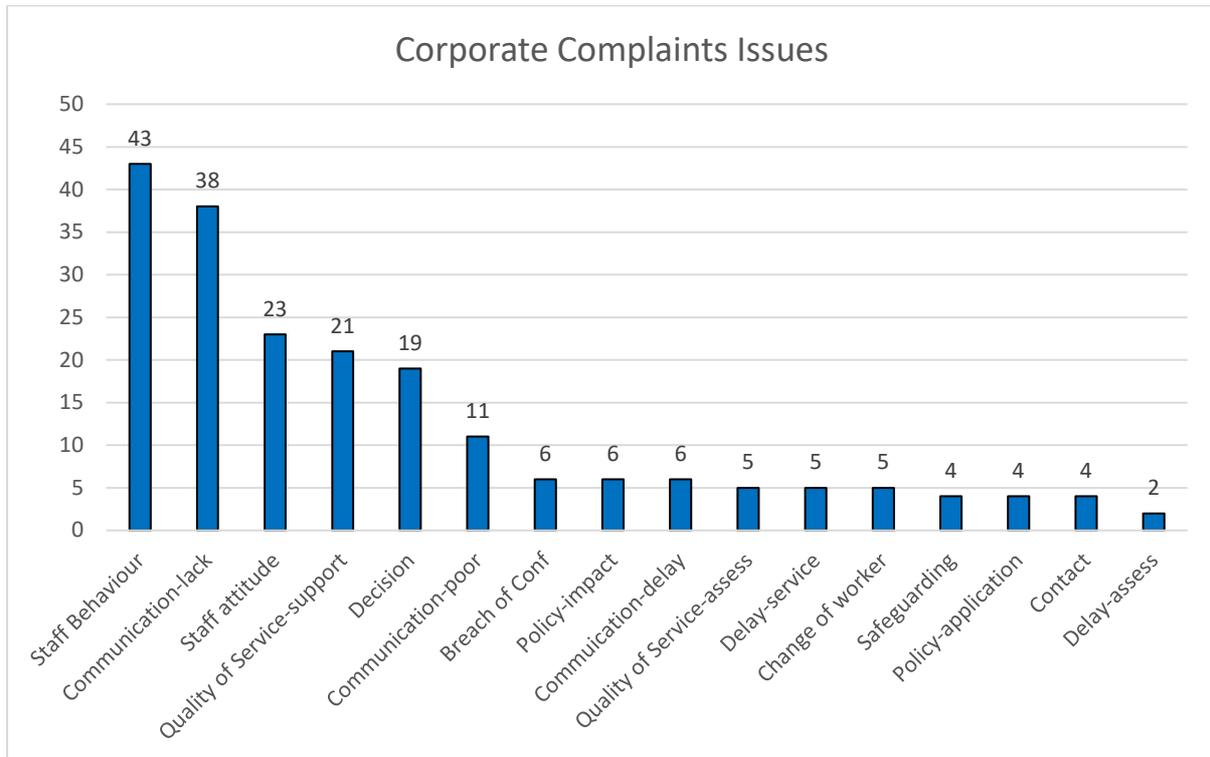


Breakdown of Service areas receiving corporate complaints 2019/20:

The **174** corporate complaints received over 36 separate service areas, during 2019/20.



Areas of Complaint: The chart below shows the most common types of complaint issues received for corporate complaints. There have been **202** issues over **16** areas.

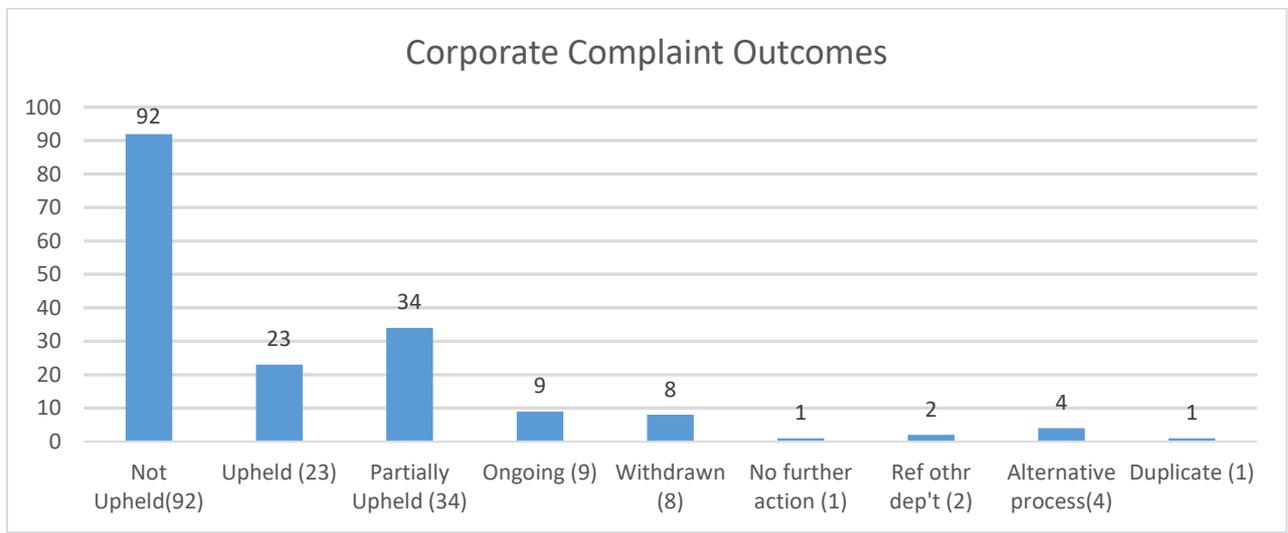


The largest number of issues recorded, were in respect of staff behaviour **43**, followed by **38** communication-lack, staff attitude **23** and **21** quality of service-support

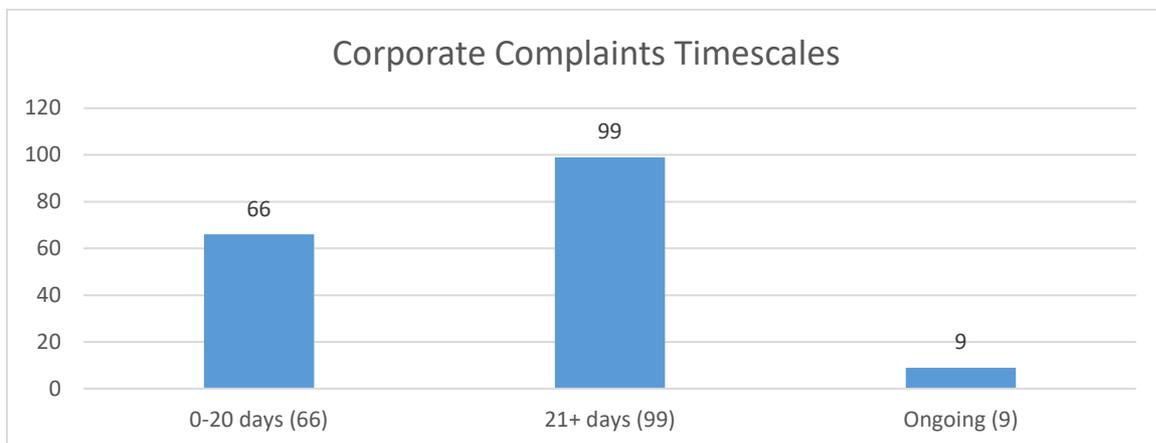
A further analysis of the top three most common areas of corporate complaints has shown that again only a small number, **8%**, of all complaints regarding staff attitude, staff behavior and communication were upheld.

10. CORPORATE COMPLAINT OUTCOMES

The chart below indicates that the majority of corporate complaints for the year 2019-2020 were not upheld, to **57 (33%)** compared to **43 (38%)** in 2018/19. This shows that while the overall number of complaints has decreased the number of complaints not being upheld has remained relatively the same.



11. CORPORATE COMPLAINT RESOLUTION TIMESCALES: The chart below shows how quickly corporate complaints were responded to.



During 2019/20, **38%** of corporate complaints received a response within the required 20 working day timescales. This compares to **51%** being responded to within 20 working days in 2018/2019.

Therefore there has been a decrease in the performance of response times for Corporate complaints.

12. COMMENTS

In the period 1st April 2019 to 31st March 2020, **12** comments were received compared to **21** for the period April 2018 to March 2019. A comment is where someone may wish to raise an issue without it being registered as a formal complaint, e.g. query concerning ongoing contact. Comments received by the Complaints Team are recorded, acknowledged and then forwarded to the relevant Team Manager for a

response. Comments are monitored in the same way to ensure that a response is provided.

13.SEND

The SEND service transferred to Childrens Services during 2019/20. However, data is still available from the previous years to enable comparisons to be made.

The SEND Service is undergoing a transformational journey as it establishes itself as a competent, compliant and communicative service. Having moved into Children Services in November 2019, the SEND Service has embarked on a rigorous recruitment and retention drive to have in place staff able and confident to ensure that the delivery of Education, Health and Care Plans are provided in accordance with the Children and families Act 2014, part 3, SEND Code of Practice.

In addition, as part of the wider SEND Improvement Programme we are in the process of developing new relevant policies and procedures and reviewing and revising those currently in place. This covers:

- Designing an effective feedback process to channel learning from complaints into SEND case officer's performance.
- Agreeing and publishing a procedure where complaints are dealt with professionally, within timescales and parents/carers are kept up to date in individual cases.
- Agreeing and putting in place a process to learn from complaints/mediation and tribunals and what has changed as a result.
- Agreeing a pro-active approach to complaints received where early intervention is the key feature.

We have also introduced a project management based approach to dealing with any upheld complaints and resulting actions from the Local Government Ombudsman (LGO). Enclosed is the tracker used to monitor this and the current status of all remedial actions.

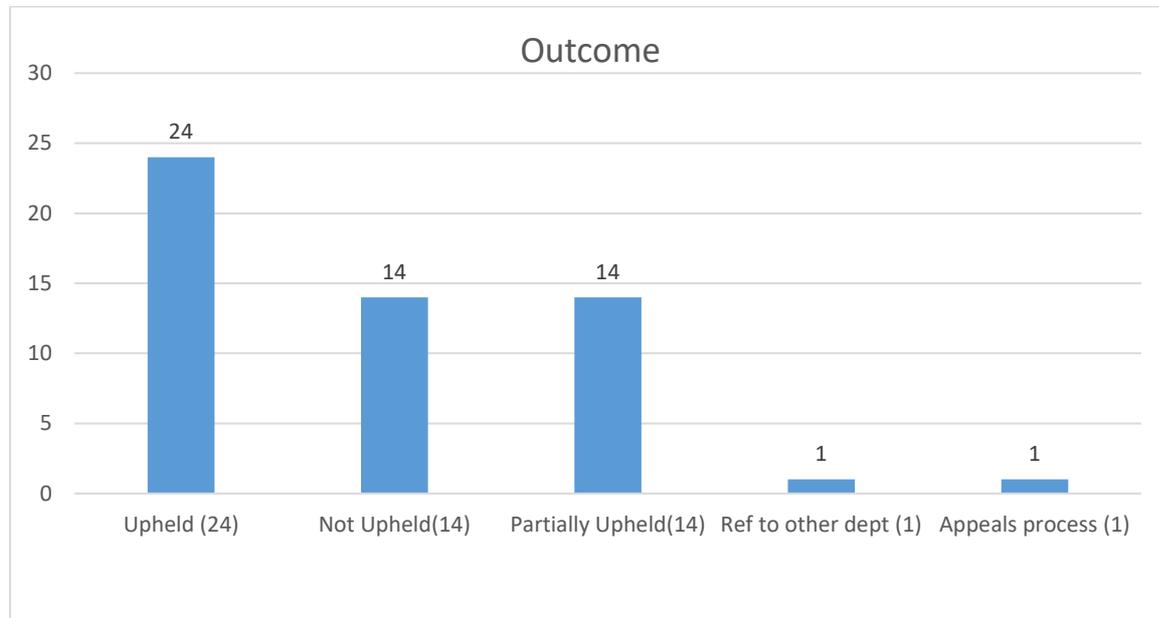
The appointment of the Compliance and Tribunal Officer on the 6th April 2020 will further strengthen the SEND Service ability to review decisions and defend the Local Authority position in collaboration with legal adviser support.

Of course, it will take time to embed new practice, learn new conversations with families and settings, so the work of the SEND Quality Assurance Consultant in developing the SEND handbook, the Induction and Training Program and the Quality Assurance framework will ensure staff learn from the themes of complaints and Ombudsman findings.

Therefore the information presented below show the beginnings of a change journey that will be sustained as the SEND service firmly has a permanent and established workforce.

In the period 1st April 19 to 31st March 2020 **54** complaints were received during his period in relation to SEND, compared to **28** for the previous period 1st April 18 to 31st March 2019 an increase of **93%**.

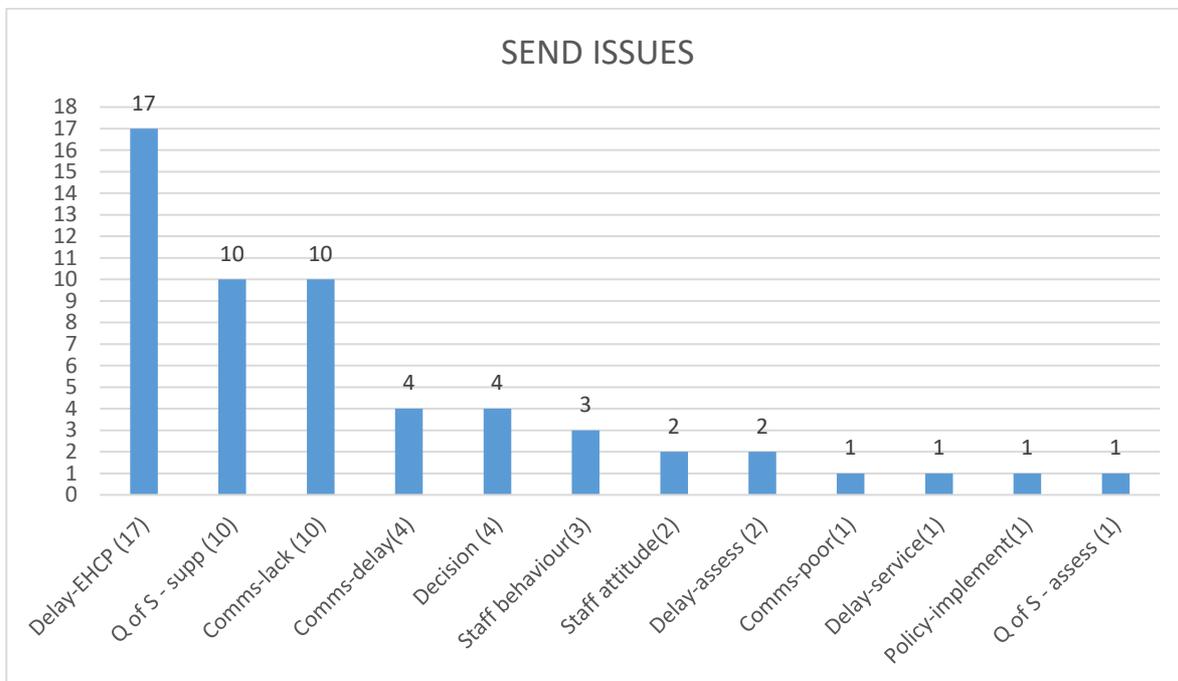
The chart below shows the outcomes of the complaints for the period 1st April 2019 to March 2020.



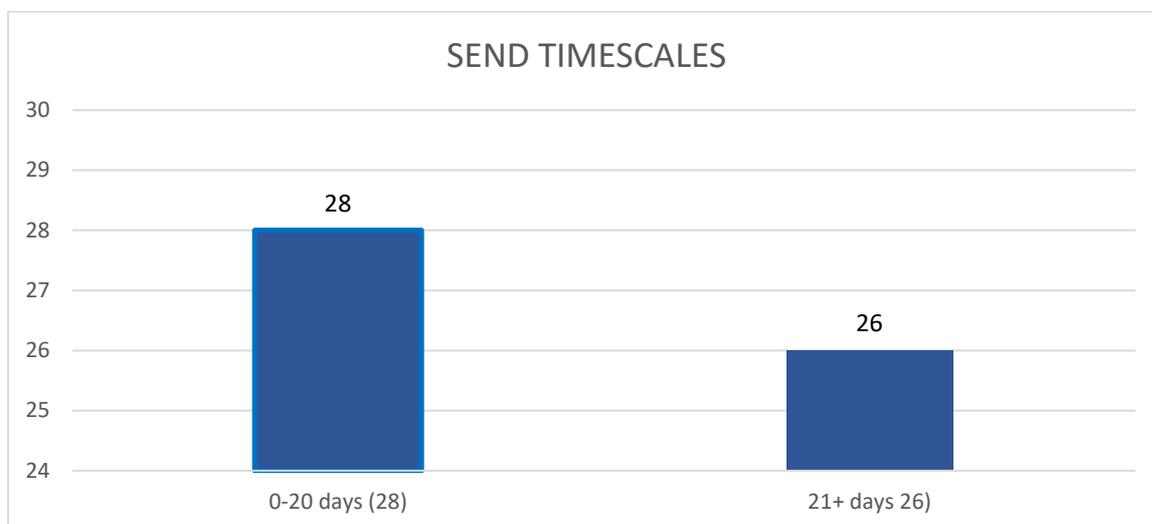
A total of **24** of these complaints were upheld (**44%**) compared to **15 (54%)**. The upheld complaints this year related to Quality of Service-support-, communication-lack/poor and Delay. A further **14 cases (26%)** were partially upheld and these related to the same issues as the upheld complaints. This compares to **6 (21%)** being partially upheld to in the previous year.

Therefore, whilst the number of complaints received overall has increased the number upheld has proportionally decreased from 54% to 44%. There has also been a slight increase proportionally in respect of the number of complaints partially upheld increased from 21% to 26%.

The chart below shows **56** issues over **12** separate areas, delay-care plan, **17**, being the highest number of which **7 (41%)** were upheld. Comparing this to the period 1st April 18 to 31st March 19 the highest number of complaints again related to the delay in producing EHCP's (Education Health Care Plan) **15** , of which **7 (47%)** were upheld.



The chart below shows the timescales for responding to SEND complaints. The chart shows that **28 (52%)** of complaints were responded to within the 20 working day timescales. For the previous period 1st April 2018 to 31st March 2019 **16 (57%)** were responded to within 20 working day timescales.



Comments

For the period 1st April 19 to 31st March 20 **7** comment were received compared to **1** in the previous year 1st April 18 to 31st March 19. As previously stated, this is where someone may wish to raise an issue without it being a request to formally register a complaint.

Compliments

For this period 1st April 19 to 31st March 20, **22** compliments were received compared to **4** in the previous year 1st April to 31st March 2019 which is a significant increase and shows that improvements are being made.

Compliment Examples

- I would just like to say thank you your colleague who I dealt with over the telephone today regarding my queries with the EHCP process. She was extremely understanding and clarified my questions in a very professional manner.

I also asked about whether private ASD and ADHD assessments (which are done with appropriately trained professionals) would hold rigor in the LA and diagnoses made would be accepted. Although she couldn't confirm herself she promptly sought advice from her colleges who were able to clarify that private diagnoses are indeed accepted as valid.

I apologise that I didn't catch her name, but please extend my thanks to your clerical / admin and call handling staff for being so helpful.

- Thank you so much for taking the time to talk me through EHCP's and additional funding and how we get this funding, both from yourself and other authorities. This is definitely something myself and my finance team will follow up. With regards to the additional funding for XXX and XXX I confirm that my finance department, copied in above will be in touch to invoice you for their additional needs.

Thank you also for discussing possible transport solutions and support with me for these students, I really appreciate you giving me the contact and information

Your help this afternoon has been invaluable and will help to ensure that we can fully meet the needs of these students.

Ombudsman Cases

There have been **3** cases received in for the period 1st April 19 to March 2020 all of which were upheld.

As stated above the service transferred to Childrens Services in Late 2019 and significant investment has been made to improve the service.

14. LEARNING FROM COMPLAINTS:-

One of the key objectives in the management of complaints is to identify and learn from complaints, comments and compliments, and to change, review or maintain practices and services accordingly.



There is a formal process to capture any learning from complaints that may arise. During 2019/20 the process of gathering learning has proved challenging. Therefore Additional reporting measure swill be put in place to identify where learning forms Have not been returned when complaints have been upheld or partially upheld.

Complaint responses that have been upheld or partially upheld continue to be shared with the Centre for Professional Practice. This ensures that these can be analysed and any learning identified and taken forward.

EXAMPLE OF LEARNING FROM COMPLAINTS:

Learning	Complaint	Actions
Provide Training	Health Visitor reporting concerns about inappropriate and unprofessional safe sleep advice that staff member completing the assessment gave.	Action: 1. Sudden Infant Death Syndrome leaflet information to be located in Family Centre and Intervention & Prevention Team office to further raise staff awareness. 2. Training to be provided by Russell's Hall Hospital- Safeguarding Lead Nurse Child 3. Discussions to take place with the member of staff in question regarding the correct protocol to be followed when giving advice.
Policy/Procedure change	Complaint from father regarding the DNA test which was taken and the way it upset son	Action: YP to be informed before test takes place - to be discussed with the whole team to ensure we adequately prepare children in the future.
Improve Communication	Not being updated on progress of EHCP assessment, calls and emails are being ignored	Action: 1. Creating additional capacity of case officers to improve communication with parents and families. 2. All staff reminded of expected standards for contact with families & will continue to monitor performance. 3. Additional training re above also being carried out. 4. Introduced new practice to ensure all calls are recorded with

		brief details of call/enquiry so messages can be officially actioned and tracked.
Change policy/procedures	Complaint regarding the length of time taken to issue reference for some who wished to be a nanny-loss of earnings	Action: Revised procedure put in place.
Improve Communication	Parent claims SW has made offensive remarks towards her family, speaks down to her, and her manner is very abrupt and insensitive.	Action: Being sensitive when families are going through difficult times. Social workers to complete tasks if any have been suggested. All Social workers to be sensitive to family's situation and maintain good and respectful communication with families. Completed
Improve Communication	Delay in SW informing her that daughter had gone missing from care.	Action: EDT manager to remind workers to make all efforts to contact parents out of hours in situations such as children going missing or hospital admissions.
Improve Communication	Parents disagree with decision to keep children on a Child Protection Plan. They are also unhappy with the way the vote was carried out and the conduct of Conference Members - talking over each other and raising their voices.	Action: Remind IRO / Chairs to explain to conferences Dudley position on step down at 3 months. IRO / Chair to explain during conference process.

Completed by Social Care Complaints Team