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## **Children's Services Scrutiny Committee – 29<sup>th</sup> June 2020**

### **Report of the Interim Director of Children's Services**

### **Children's Services Complaints, Comments and Compliments Annual Report 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020**

#### **Purpose**

1. The purpose of this report is to provide supplementary information regarding key issues arising from the Children's Services Annual Complaints, Comments and Compliments report for the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020.

#### **Recommendations**

2. It is recommended that:-
  - Members note and comment on the contents of the report and approve the report for public publication in line with statutory requirements

#### **Background**

3. Every Local Authority with a responsibility for Social Care Services is required to provide an annual report in relation to the operation of the complaints and representations procedures.
4. The annual report provides information relating to all statutory and corporate complaints received in respect of Children's Services during the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020.
5. The statutory process is a three-stage process. For a complaint to be registered under this process certain criteria must be met as set out in statutory guidance.
6. Corporate complaints are those that fall outside of the statutory process. This is where the complainant does not meet the requirements to be considered under the statutory process. These cases are registered and managed under the two stage corporate process.  
For the first time SEND compliments and complaints are included in the annual report. This follows its transfer to Childrens Services in late 2019.

7. Additionally some contacts are registered as comments. This is where someone may wish to raise an issue without it being a request to formally register a complaint.  
Complaint / Compliment Numbers

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

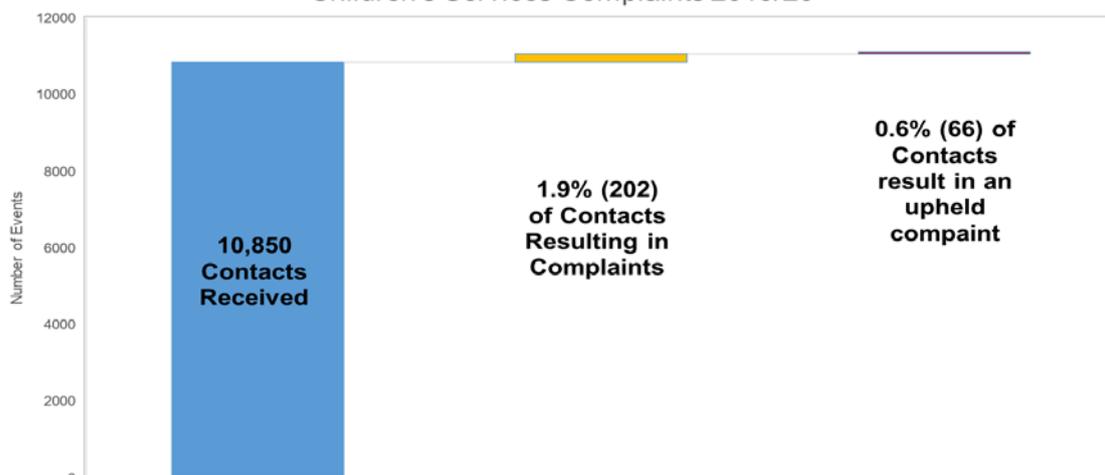
9. Capturing learning continues but further progress in this area is still required. As a result the process has been further reviewed and going forward regular reports can now be produced that show upheld or partially upheld cases where no learning has currently been identified.

All 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.

10. There has been a small overall decrease in complaint numbers during the past year. The number of complaints fell from 205 to 202, which represents a 2% reduction. There continued to be a reduction in the number of complaints registered under the statutory process. 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. However, 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's Services complaints later this year, which may again shift the balance in these numbers.

11. 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 0.60% of all contacts result in a complaint being upheld or partially upheld.

Children's Services Complaints 2019/20



12. 32% of statutory complaints were either upheld or partially upheld. This is a slight increase on the 47% for 2018/19.
13. 33% of corporate complaints were either upheld or partially upheld. This decrease compared to the 38% were upheld or partially upheld in 2018/19.
14. There continues to be at low level of stage two Statutory independent investigations with only two being undertaken during the past year. This prevention of escalation to stage 2 of the process can be largely attributed to the continued close working relationship between the Complaints team and Children's Services staff. If a complainant remains dissatisfied all attempts are made to try to resolve the issues locally.

There has been one complaint this year, which has progressed to a stage three review panel. This is because of dissatisfaction with the stage two investigation outcome report and is still in the process of being arranged due to the COVID-19 situation.

#### Complaint Response Timescales:

15. This area continues to prove challenging with only 41% of all complaints receiving a response within 20 working days compared to 51%. Managers are aware and are reminded of the need to adhere to timescales. The Complaints Team provides regular reminders and offers support where applicable. Additionally complaint trackers are produced on a regular basis to highlight cases either coming up to the response deadline or those that have exceeded it.

Members previously requested information regarding the possible reasons why complaint responses were exceeding timescales. As stated this area continues to prove challenging and some cases can reasonably be described as complex. However, out of 135 cases that exceeded the 20 working day timescale there were only 20 cases (15%) where some indication had been given as to why the response had been delayed.

Consideration may therefore want to be given for requesting manager's to offer an explanation as to why a response was provided outside of timescale. This could then be considered by senior management. However, such measures would further increase workloads for both front line managers and the Complaints Team.

Therefore, overall, the service still faces challenges in terms of responding to complaints within the required timescales and it is acknowledged that further work is required in this area to improve performance.

16. **Areas of Complaint:** The three main issues arising concerned quality of support, communication, staff behaviour and staff attitude. This is broadly the same as the main reasons for complaints during the previous year.
17. Whilst there has been an increase in the number of corporate complaints this year in respect of staff behaviour/attitude and lack of communication, 104 cases were

received compared to 61 in 2018/19), only approximately 13% (14 cases) of these complaints were upheld. It should be noted that with regard to staff behaviour a social worker or manager may have to make decisions that families do not agree with or decisions the court are making, e.g. safeguarding a child, and this may lead to a complaint based on the nature of the work that is being undertaken.

### **Finance**

18. There are no direct financial implications arising from the contents of this report.

### **Law**

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

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

20. However, some complaints fall outside of the statutory process. This is where the complainant does not meet the requirements to be considered under the statutory process. In these cases, the complaint is dealt with under the corporate complaint process. All complaints received are included in this report.

### **Equality Impact**

21. This report has no direct implications for the Council's commitment to equality and diversity. The complaints policy is applied fairly and equitably to all users.

### **Human Resources/Organisational Development**

22. There are no organisation service transformation implications that require consideration.

### **Commercial Procurement**

23. There are no commercial or procurement implications that require consideration.

### **Health and Wellbeing**

24. There are no health, wellbeing or safety implications that require consideration.

*C. Knowles*

**Catherine Knowles**  
**Interim Director of Children's Services**

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## **Appendices**

*Children's Services Complaints, Comments and Compliments Annual Report 1<sup>st</sup> April  
2019 – 31<sup>st</sup> March 2020*

## **List of Background Documents**

*Appendix 1 – Children's Services Complaints, Comments and Compliments Annual  
Report 1<sup>st</sup> April 2019 – 31<sup>st</sup> March 2020*