

# **REPORT FOR: PERFORMANCE & FINANCE SUB- COMMITTEE**

---

<b>Date of Meeting:</b>	13 <sup>th</sup> December 2021
<b>Subject:</b>	Children and Families Services Complaints Annual Report 2020/21
<b>Responsible Officer:</b>	Paul Hewitt, Corporate Director People Services
<b>Lead Member:</b>	Cllr Christine Robson
<b>Exempt:</b>	No
<b>Enclosures:</b>	Appendix – Annual Report for Children and Families Services Complaints for period 2020/21

## **Section 1 – Summary and Recommendations**

This report sets out the Children and Families Services Complaints Annual Report for 2020/21.

### **Recommendations:**

None. For Information purposes only.

## **Section 2 – Report**

### **Financial Implications**

There are no specific budget issues associated with this report. All payments are agreed by Service Managers and are funded within existing budgets.

### **Performance Issues**

There are no specific performance issues associated with this report.

### **Environmental Impact**

N/A

### **Risk Management Implications**

Risk included on Directorate risk register? No

Separate risk register in place? No

### **Equalities implications**

N/A

### **Corporate Priorities**

The Council's vision:

Working Together to Make a Difference for Harrow

- Build a Better Harrow
- Be More Business-like and Business Friendly
- **Protect the Most Vulnerable and Support Families**

## **Section 3 - Statutory Officer Clearance**

The Corporate Director determined the report did not require Financial or Legal clearance.

## **Section 4 - Contact Details and Background Papers**

**Contact:** Usman Zia, Complaints Manager, Adults & Children's Complaints,  
[usman.zia@harrow.gov.uk](mailto:usman.zia@harrow.gov.uk)

**Background Papers:** None

## Annual Complaints Report for Children and Families Services 2020/21

<u>Section</u>	<u>Contents</u>
1	Executive Summary
2	Summary of Activity
3	Complaints Service contribution to the local authority COVID-19 response
3	Outcomes for key actions in 2020/21 and Priorities for 21/22
4	Stage 1 Complaints
5	Stage 2 Complaints
6	Stage 3 Complaints
7	Ombudsman (LGO) Complaints
8	Escalation comparison over time
9	Remedy payments
10	Mediation and Alternative Dispute Resolution
11	Joint NHS and social care complaints
12	Learning Lessons/Practice Improvements
13	Compliments
14	Equalities Information
15	The Complaints Process explained

<b>1</b>	<p><b>Executive Summary</b></p> <p>This year's report follows the first national lockdown following the outbreak of COVID-19 in March 2020. COVID-19 has had a significant impact on how public services were provided and how organisations have had to adapt to ensure we are able to look after our most vulnerable and support families.</p> <p>The priority of the directorate and the local authority at this difficult time was to ensure essential services continued to be delivered and as such resources were prioritised to deliver this. The Complaints Service contributed to this priority as will be explained in the COVID-19 section below in the report.</p> <p>Despite the above, there were higher contacts (177) actioned by the Complaints Service in 20/21 than in 19/20 (156).</p>
----------	---

There were some **177** “transactions<sup>1</sup>” within the complaints process during the year, i.e. representations, formal complaints, members enquiries and referrals to the Local Government Ombudsman. Given the nature of some of the work undertaken, such as child protection and looked after children, it is positive that numbers of complaints are so minimal. During 2020/21:

- *Of the 4016 children open to Children’s Social Care in the year 53% were male and 46% were female and 1% were unborn/not known. The cohort’s ethnic breakdown is predominantly BME with a quarter being white ethnicity. On the last day of the year (31<sup>st</sup> March) a total of 1720 children were receiving a service from Social Care with the rest having ceased throughout the year.*
- *A total of 2605 referrals were received in 2020/21 by Children’s Social Care with the most common referral source being Police and Schools both accounting for 59% of referrals received. The service completed 2569 assessments.*
- *A total of 1280 child protection investigations were initiated in the period with 424 leading to an initial child protection conference.*
- *There were 657 Child Protection Plans (CPP) active at some point during 2020/21, 384 new plans were started & 361 ceased during the year, at 31<sup>st</sup> March 2021 296 children were being supported and monitored through a Child Protection Plan*
- *A total of 295 Children were Looked After (CLA) at some point during 2020/21, during the year, 117 children became newly looked after and 118 stopped being looked after, at 31<sup>st</sup> March Harrow had 182 looked after children.*
- *At 31<sup>st</sup> March 2021 Harrow had 76 approved fostering households offering 124 placements*
- *During 2020-21 about 3,304 families accessed the Cedars and Hillview Early Support hubs and 160 young people accessed the Wealdstone Early Support hub*

---

<sup>1</sup> The total of representations, Stage 1, Stage 2, Stage 3, member enquiries & LG Ombudsman referrals within Children and Families Services.

	<p>Children’s Social Care Teams<sup>2</sup> continued to attract the most contacts (63%). This reflects the nature of the statutory social work undertaken by these services, where difficult decisions regarding children and their families sometimes leads to necessary actions which can be unpopular with some families.</p> <p>This report contains both positive messages and indications of areas needing more work through a challenging time.</p> <ul style="list-style-type: none"> <li>• Of note is the high level of representations (100) which were potential statutory complaints but were resolved/actioned informally. This made up the vast majority of our contacts and were not all negative in nature upon receipt (some were service or information requests). This is significant in showing that the Council is able to listen to concerns expressed and practically work to internally resolve them. Whilst this is positive in terms of the citizen’s experience because it focuses on resolving the issue rather than taking a citizen through formal “stages”, it also endorses that early resolution is more cost effective for the Council by avoiding escalation with associated costs of any investigations. It provides a problem-solving focus rather than process focus.</li> <li>• The number of Stage 1 complaints significantly fell but representations/informal requests increased. There was also a notable increase in MP/Councillor contacts that may also reflect the decrease in stage 1 complaints and shows that citizens turned to members through COVID to communicate their concerns.</li> <li>• The relative escalation rate of complaints between formal Stage 1 and Stage 2 has remained relatively low at 40%. It should be noted that the amount of formal Stage 1 responses is initially very low (10) and only four cases went to formal Stage 2. This reflects the successful efforts made by officers to understand and address concerns when they arise as complaints and representations.</li> <li>• Better quality resolution work has meant that fewer representations moved on to a Stage 1 complaint. There were far more representations (97 at initial contact plus three midway through process) than Stage 1 complaints (10) in 2020/21. This meant many cases were informally resolved ensuring an effective resolution for our citizens</li> </ul>
<b>2</b>	<b>Summary of Activity</b>

<sup>2</sup> These include our Multi Agency Safeguarding Hub (MASH), First Response Team, Child in Need Service and our Corporate Parenting Service.

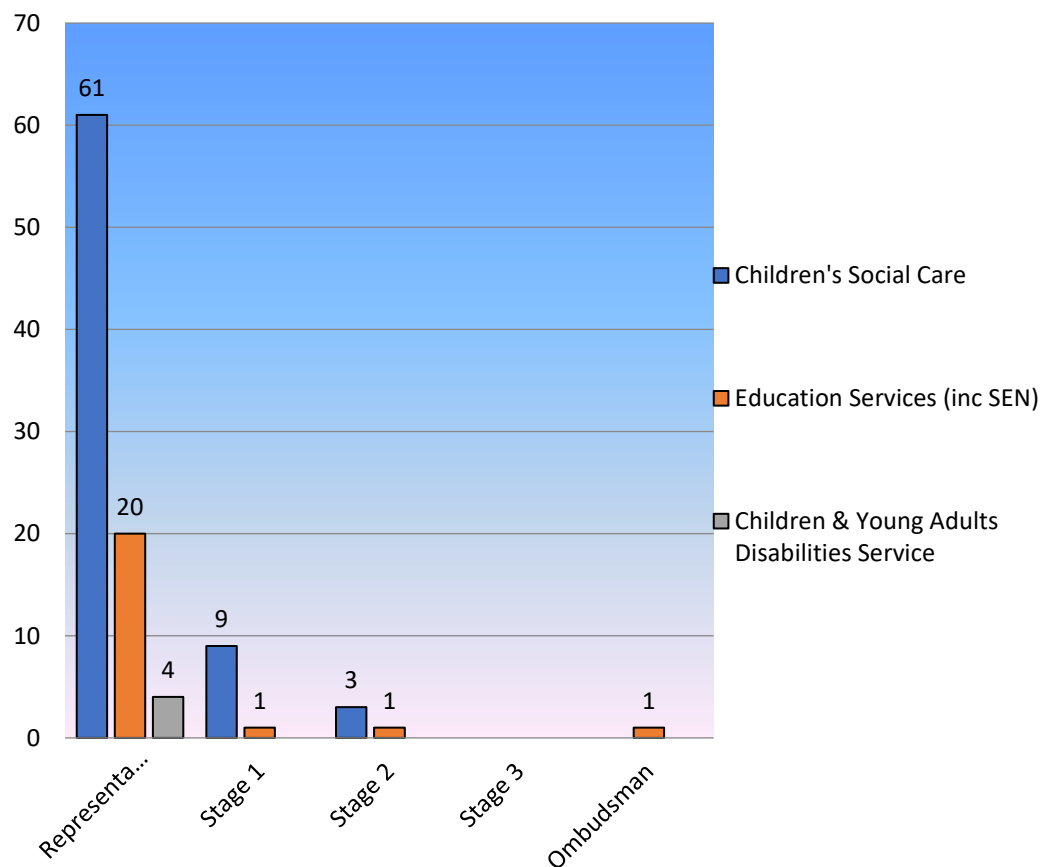
## 2.1 Overall Complaint Activity:

Between 1 April 2020 and 31 March 2021, the Council received:

- 100 representations i.e. potential statutory complaints that did not lead to a formal complaint investigation.
- The council processed 10 Stage 1 complaint investigations.
- 4 Stage 2 complaint investigations.
- No (zero) Stage 3 complaint received (no panel hearings);
- One Local Government Ombudsman (LGO) complaints.

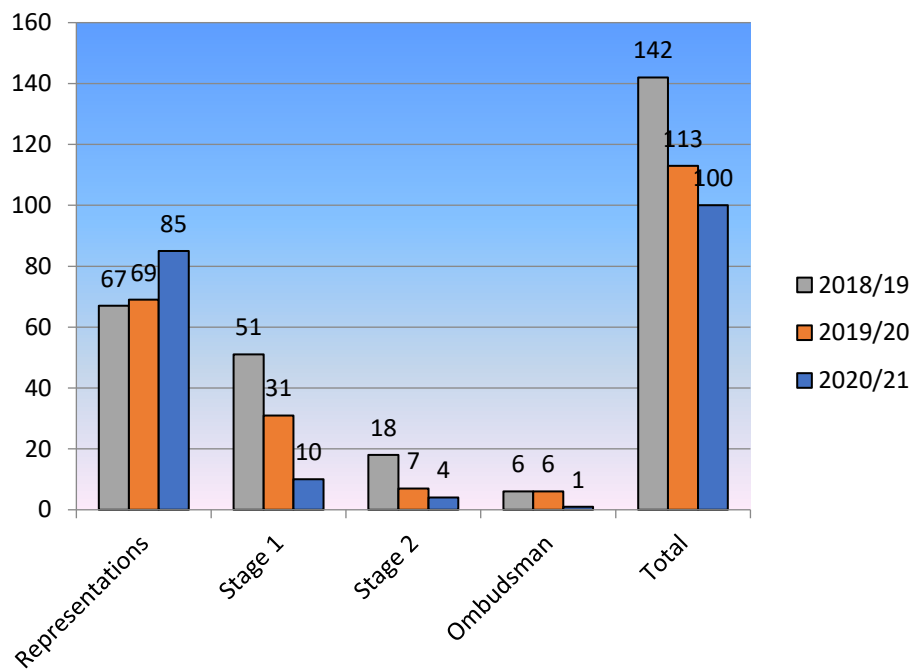
Additionally, there were 62 MP and Councillor enquiries managed by the Complaints Service. In comparison, 43 enquiries were received last year. This increase has likely come with the trend noted across Adult Social Care also more reliance on members for raising concerns throughout COVID.

**Table 1: Number of Complaints by Service area: April 20 to March 21**



Number of Complaint Transactions by Service area: April 2020 - March 2021							
Service Area	Representations	Stage 1	Stage 2	Stage 3	Ombudsman	Total	
Children's Social Care	61	9	3	0	0	73	
Education Services (inc SEN and Admissions)	20	1	1	0	1	23	
CYAD	4	0	0	0	0	4	
<b>Total</b>	<b>85</b>	<b>10</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>100</b>	
<p><b>Key message:</b> Overall the picture suggests a continuation of high quality investigative and governance standards. Please note 15 representations were for other services areas outside of Peoples Directorate. However, as these came to us, the Complaints Service worked on these cases to ensure these were reviewed and actioned to ensure the citizens request was taken forward.</p> <p><b>Analysis:</b> During 2020/21 there was a decrease in the number of formal Stage 1 complaints received (a reduction of from 31 to 10 in comparison to the previous year). This is partially due to further shifting our focus following COVID-19 on ensuring services receive concerns and are supported internally by the Complaints Service in resolving this. This may be due to further efforts made to resolve issues informally. This is supported by the fact that representations and MP/Councillor enquiries have gone up while formal complaints have gone down.</p> <p>In line with the above, there was an increase in representations (100 in comparison to 69 last year) which shows an increased willingness to provide solutions via informal means which are usually faster and more direct. The focus on informal resolutions is to make the relevant service aware of the concern and if necessary, support them in resolving this rather than focusing on formulation of a response letter.</p> <p>As with previous years, the majority of received transactions (both representations and formal complaints) are via Children's Social Care (63%).</p> <p>There were four Stage 2 complaint investigations. This represents an escalation rate of 40% of all Stage 1 complaints and a very low approx. 4% escalation of all initial transactions. No (zero) complaints progressed to a Stage 3 panel hearing. There was only one formal LGO investigation.</p>							

**Table 2: Comparison of Complaints over the last 3 years**



	Representations	Stage 1	Stage 2	Stage 3	Ombudsman	Total
2020/21	85(85%)	10(10%)	4(4%)	0(0%)	1(1%)	100
2019/20	69(61%)	31(28%)	7(6%)	0(0%)	6(5%)	113
2018/19	67(47%)	51(36%)	18(13%)	0(0%)	6(4%)	142

**Analysis:** There was a decrease in the number of total ‘transactions’ in 2020/21 (100) compared to 2019/20 (113). The decrease in numbers was primarily within children’s social care teams where a large number of complaints at times are not about decisions or outcomes as it would be across other areas of the council, but about the involvement of the social care within the lives of families and the difficult adjustments that some families can feel. Simply the involvement alone of Children’s Services in a family can lead to the raising of a complaint or concern.

COVID-19 for Children’s Services also meant having to adjust ways of working in an already very sensitive realm and these adjustments with families who were dealing with COVID-19 and lockdown pressures could have led to a need to reach out to be heard or have anxiety based queries answered.

The overall decrease is likely due to the discussed work with teams and staff to try and resolve such matters before they become complaints or representations and is a positive indication that social care staff as a whole can be empowered to resolve problems and issues. Empathy would play a large part in the ability to resolve difficult conversations and COVID-19 created challenges for those of all walks of life which meant care staff could likely relate to the reasoning behind pandemic issues being raised and being able to resolve them informally.



Escalations beyond Stage 1 have remained low in line with previous years and have dropped in line with the drop in initial Stage 1 complaints.

We do not believe that once an issue is raised as a complaint or potential complaint that it should be passed around departments and reaches the Complaints Service to manage through a set stage-based process. Front line services should be encouraged to try and resolve issues, requests and concerns at the earliest point as this can help restore trust that may have potentially been lost by involved citizens. The Complaints Service has made it clear we are here to support the services in resolving potential complaints and this approach ensures we have a directorate approach rather than Complaints Service approach as our end goal.

This is also beneficial for both citizens and staff as it allows additional guidance and potential for resolution by involving the Complaints Service at the first possible instance which is often more efficient than the formal process. Front line staff appear also to have greater awareness of the complaints service due to the collaborative work the complaints service encourages with all levels of staff

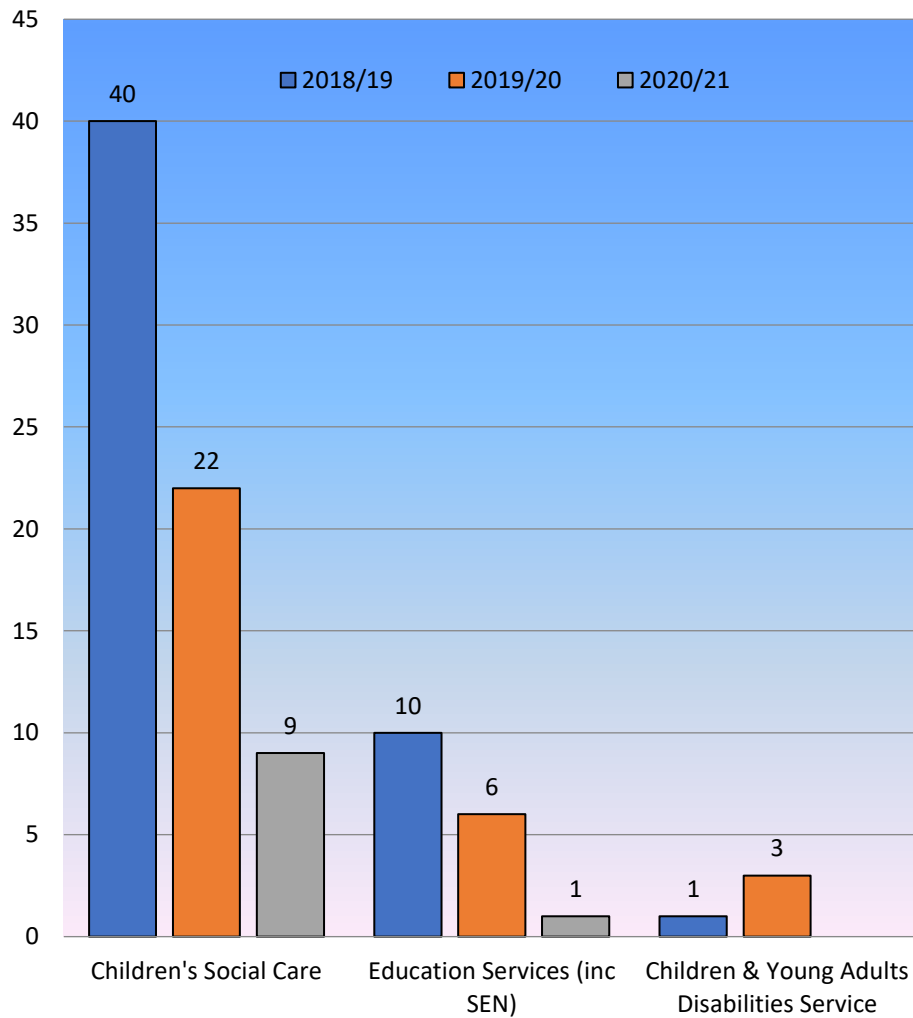
3	<b>Complaints Service contribution to the local authority COVID-19 response</b>
	<p>The impact of COVID-19 both in the UK and globally meant an unprecedented level of response both at a local and national level to prevent the spread of the disease and to adapt how we work to ensure essential services could be delivered to those with care needs. This meant staff and services across the local authority acting on strategies to act as one council to support the above aim.</p> <p>As such, the Complaints Service worked to help deliver the following in response to COVID-19 in 20/21:</p> <ul style="list-style-type: none"> <li>- Assisting in co-ordinating the distribution of emergency PPE to frontline care services and care providers throughout the borough. This entailed reviewing daily PPE usage figures from care providers on a seven day a week basis approximately between the months of March to July/August 2020 (until PPE supply stabilised in the market). This meant we were pre-emptively ensuring PPE supply did not run low enough that core services could not be delivered. Following this period, we assisted in communicating with providers to ensure awareness of the government PPE portal for health and care services.</li> <li>- Assisting with the co-ordination of Central Government returns to the Department of Health and Social Care (DHSC) to ensure qualification COVID-19 funding for care services and providers within Harrow.</li> <li>- Assisting with the co-ordination of data and multi-agency work in contributing to the national winter care plan initiative in 2020 to ensure COVID-19 contingency planning over winter.</li> <li>- Ensuring care provider concerns were addressed and providing communication updates to care providers within Harrow so that they could more effectively and safely deliver care to our citizens.</li> <li>- Assisting with the communications with respect to COVID-19 grant funding for care providers across the borough to ensure they received all eligible help from DHSC to ensure they are best placed to provide care to Harrow citizens.</li> </ul>

4	Outcomes of key actions for 2019/20 and focus for 2021/22
	<p>Unfortunately, we were unable to reach the local target of 85%. The overall timeline score for formal responses this year was 67%. This was due in part to the formal response numbers being low and in running a limited service for a number of months and ensuring some of the key assistance above was provided as this impacted the immediate health and safety of the staff and citizens within the borough. The full Complaints Team were also not equipped with remote IT to enable full capacity for several months of the pandemic as remote IT was rightly prioritised for key workers first.</p> <p>The offer of core training has been placed on hold throughout COVID-19 to ensure COVID-19 priorities could be addressed where possible. Some training has taken place in 21/22 thus far but we anticipate a full training schedule is provided in 22/23 across the directorate. The aim of this would be to further upskill directorate services to address families concerns and requests effectively and to a standard of good communication.</p> <p>We have ensured we have adapted our services were possible to COVID-19 impact but ensuring a further focus on resolution-based work rather than process-based work which is evidenced by the numbers.</p> <p>The website has been further updated and been using Microsoft Teams with staff and citizens to ensure we are still able to hold resolution meetings and allow fluid communication.</p> <p>Our focus for 2021/22 is</p> <ul style="list-style-type: none"> <li>• To improve Stage 1 complaint response to work towards the local authority target of 85%</li> <li>• To continue the core offer of training for front line staff and managers as well as schools on complaint handling. Where this is not possible ensuring these services are able to consult with the Complaints Service with difficult cases</li> <li>• To review the impact of COVID-19 with respect to social care complaints and use lessons learned to adapt and improve our service going forward</li> <li>• To continue to review and update complaints literature and communications as necessary.</li> <li>• To continue the effort to work towards resolution and problem-solving work as opposed to process based work.</li> </ul>

**5 Stage 1 Complaints:**

**5.1 Stage 1 Complaints Overall Activity**

**Table 3**



**Stage 1 Complaints Received**

	2018/19	2019/20	2020/21
Education & Commissioning	10	6	1
Children's Social Care	40	22	9
CYAD	1	3	0
<b>Total</b>	<b>51</b>	<b>31</b>	<b>10</b>

**Key message:** Almost inevitably Children's Social Care attracts a higher level of complaints. The data below will evidence the majority of complaints are from parents/family members. As the "nature of complaints" section will demonstrate below, many complaints arise from parents having a negative view of social care intervention as this will often involve some assessment of their parenting or difficult discussions around family relationships. Family life can be seen as private and sacred and any unrequested intervention due to

overriding safeguarding concerns can be seen as a difficult barrier to cross in working with Children's Services staff.

In 2020/21, there was a drop in Education complaints. This is likely because COVID-19 changed the school dynamic over lockdowns with priority being placed on adaptation and delivery of education in unforeseen circumstances. The service has also made increased efforts to address concerns directly and informally.

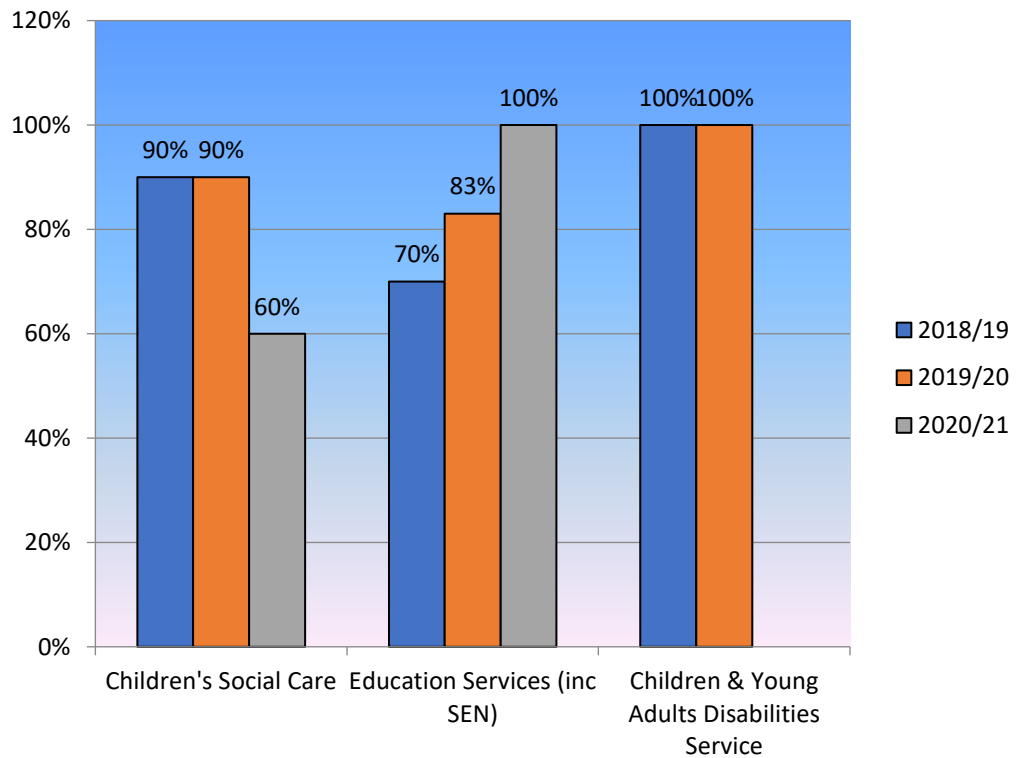
Children's Social Care is child focused and based on statutory duties which can be at odds with the initial expectation of Children's Services involvement from parents. However, Children's Social Care formal complaints has seen a significant decrease since last year likely due to additional work around informally resolving complaints by Children's Services.

There were 63 MP and Councillor enquiries managed by the Complaints team with respect to Children's Services, which is an increase from 43 in the previous year. As discussed, the same trend was noticed in Adults with families reaching out to members as COVID-19 meant a large focus on the government response to the pandemic.

MP and Councillor enquiries varied greatly in nature and it is not possible to determine if they would have led to a formal complaint. While it is not unusual to receive many education based queries via members (particularly around admissions), many of the queries raised were in respect to queries and concerns about the wider issues of COVID-19 and schools where more often the direction came from the Department of Education rather than the local authority.

**5.2 Stage 1 Response Times**

**Table 4**



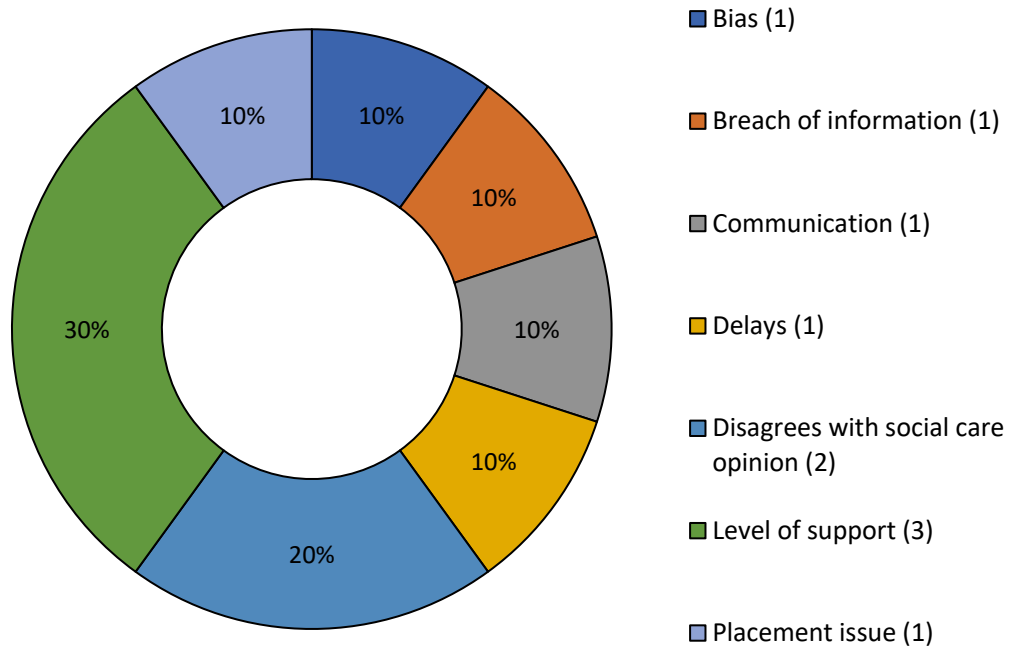
An explanation for the above is primarily covered in section 4 and the primary reason is COVID-19 pressures and priorities in addition to staff availability. This has been a challenge throughout the pandemic where a balance has always had to be struck between conclusion of formal processes and progressing representations. Formal responses require service and manager availability, approval/sign off and overall adherence to the requirements of formal procedures. These elements do take time and the Complaints Service has prioritised internal service awareness, support and actioning/responding to all representations where possible to seek agile and flexible solutions to problems and concerns raised as well as COVID-19 support work.

Nonetheless, the Complaints Service recognises that those who go through the formal process should receive their responses in a timely manner wherever possible. Where responses are provided outside of timelines, we do contact complainants and apologise and explain where possible.

**5.3 Stage 1: Nature of Complaints**

**Table 5**

**Nature of Stage 1 Complaints**



**Complaints Examples**

**Bias (toward other parent)**

Children’s Services are often in a position where they must work with parents who are in a difficult or even acrimonious relationship – as such one parent may perceive bias from Children’s Services towards the other. In cases of domestic violence, this will often result in cases of counter accusations and allegations.

The role of the investigation will be to sensitively relay the correct remit of Children’s Service remit and clarify the basis of any concerns being addressed.

An example of this type of complaint is:

*CS thinking I am the abuser when I the abused*

**Breach of Confidentiality**

An individual may be unhappy how certain information or correspondence may have been shared or recorded by Children's Services.

An example of this type of complaint is:

*Information about another case sent in error*

**Communication**

Families can often have expectations for when they are meant to receive a call back or correspondence which if not met, can lead to a complaint.

An example of this type of complaint is:

*Unhappy with how family member was spoken to*

**Delay**

Often cases within children's services are complex and involve the input and work of multiple agencies which means even with statutory timescales for some matters, that case actions and progress can take some time. At times, a citizen may feel that matters are taking too long, and the complaint will often see if the involved timescales were necessary or reasonable.

An example of this type of complaint is:

*There has been a delay progressing EHCP tuition with the school*

**Disagrees with social care view**

Social workers are typically allocated to children and as such their priority will be the safeguarding and best interests of any involved children where there are concerns about the risk of harm. This may mean difficult subjects need to be explored and the social work staff will ultimately have to communicate their professional opinion. This may not be always be received well by parents and involved family as may challenge behaviour and circumstances due to the observed impact it has on the child.

An example of this type of complaint is:

*Was not happy that social workers considered previous safeguarding concern*



### **Level of support**

These complaints normally are from the perspective that the local authority is not doing either enough or not doing specifically what the family would like as support and are specifically requesting

An example of this type of complaint is:

*Wanted further transport support with the care of a child from their family*

### **Placement Issue**

Children's Services may need to arrange for a family/parent to stay at a placement along with any children. The family may feel any issues of the placement need to be resolved by Children's Services.

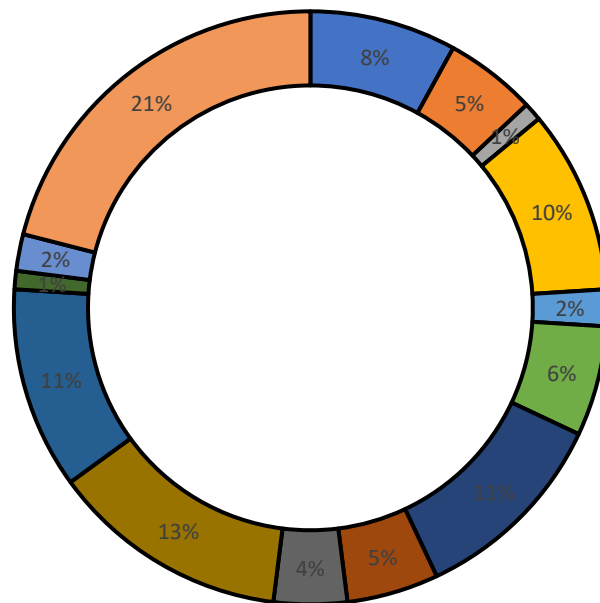
An example of this type of complaint is:

*Did not feel the placement did enough to support and safeguard the family there*

**Analysis:** Due to the low number of formal complaints, meaningful analysis is not possible. There were a number of varied reasons the above cases went a formal Stage 1 investigation and no overwhelming single type of complaint

**However, to ensure we are able to meaningfully understand the underpinning reasons for why concerns or requests are raised to the attention of our service, we have analysed the nature of the representations made which provides a much larger pool of contacts.**

## Nature of Representations – Table 7



- Admissions (8)
- Bias (5)
- Breach of information (1)
- Communication (10)
- Delays (2)
- Disagrees with social care opinion (6)
- Information Request (11)
- Legal or policy decision (5)
- Level of intervention (4)
- Level of support (13)
- Objects to assessment (11)
- Placement issue (1)
- Raising concerns (2)
- Service request (21)

### Complaint Categories that were not discussed above

#### Admissions

This is where a family may have issues or concerns with the admissions process for Harrow Schools.

#### Information Request

A family or parent may not be complaining but may still need clarification for how a social care process may work. (This is different to a statutory information request such as a Subject Access Request under GDPR which has its own procedure)

**Legal or policy decision**

A family or individual may disagree with the decision-making process based on statute or within our policy and procedures. An example of this may be feeling they should be assessed under a specific section of the Children Act or receive financial support from a statutory direction.

**Level of intervention**

This category contains complaints where the parent or involved family feel the level of involvement of social care is not justified and often want the case to be closed or stepped down as an outcome.

Some families feel continually upset or aggrieved that there is social work intervention in their life and for a few complainants, complaints allows them an avenue to raise their objections to the process outside of the social care teams they are dealing with regularly.

**Objects to assessment**

As previously discussed, social work staff will have to record views about sensitive and challenging subjects. These will need to be recorded for assessments and reports and often a conversation that may have occurred in a home visit or telephone call may be perceived very differently when seen on an official form sometime later with those same views in writing.

**Raising concerns**

On very rare occasions, individuals may write in the complaints service directly with what they perceive to be concerns/a referral with respect to a child or those who have care of said child. These are often anonymous and are passed on to our MASH service where appropriate for consideration.

**Service Request**

This may not necessarily be a negative request, but may simply be asking a service for assistance or further support and may have requested this directly via the Council's web form or involves a mix of services (e.g., housing/transport etc)

**Representation Analysis** – As discussed above, these representations that were resolved informally took on many requests and services concerns from families and parents. Only one of these representations was directly from a young person and they were requesting transport assistance.

This shows that parents/guardians may often reach externally of the direct service to try and progress their concerns or requests whereas young people are likely to raise matters directly with their service and allocated staff.

5.4	<b>Stage 1: Complaints Outcomes</b>												
<b>Table 8</b>													
		<b>Not Upheld</b>			<b>Partially Upheld</b>			<b>Upheld</b>			<b>Total</b>		
		20/21	19/20	18/19	20/21	19/20	19/19	20/21	19/20	18/19	20/21	19/20 18/19	
Education & Commissioning		0	5	9	1	2	1	0	0	0	1	7 10	
Children's Social Care		7	19	33	2	4	13	0	0	1	9	23 47	
CYAD		0	2	1	0	0	0	0	1	0	0	3 1	
Total		7	26	43	3	6	14	0	1	1	10*	33 58	
Total of overall Stage 1 outcomes, by percentage		70%	78%	74%	30%	18%	25%	0%	4%	1%			
<p><b>Analysis:</b> Managers and staff within service areas and the Complaints Service have worked towards a more balanced and open approach to complaints, where concerns from service users are recognised and receive appropriate responses. This includes the need to listen to complainants and adopt a less defensive approach when reflecting on practices and making</p> <p>Children's Social Care has seven non-uphold complaints out of a total of ten complaints. This fits the ongoing trend that as a consequence of statutory duty of Children's Social Care to investigate safeguarding concerns and/or to provide support to children as identified as being in need, this can lead to some parents feeling that they have been negatively judged or that their interests or personal requests are not being prioritised.</p> <p>As a result, complaints are raised to dispute the statutory involvement/level of services or with respect to the level of support they require – not over the actual quality of the work which the non-uphold rate evidences.</p> <p>For the complaints where the overall outcome is non-uphold, the Complaints Service ensures these responses are helpful in explaining the rationale and reasoning behind the key issues so that families can find these responses of value and help regardless of the outcome</p> <p>It also echo's our service intent that when an actual service issue or problem is raised, that it is resolved by the service where possible for a more direct and effective solution, potentially leaving formal complaints more for where the difference in views cannot be reconciled.</p>													

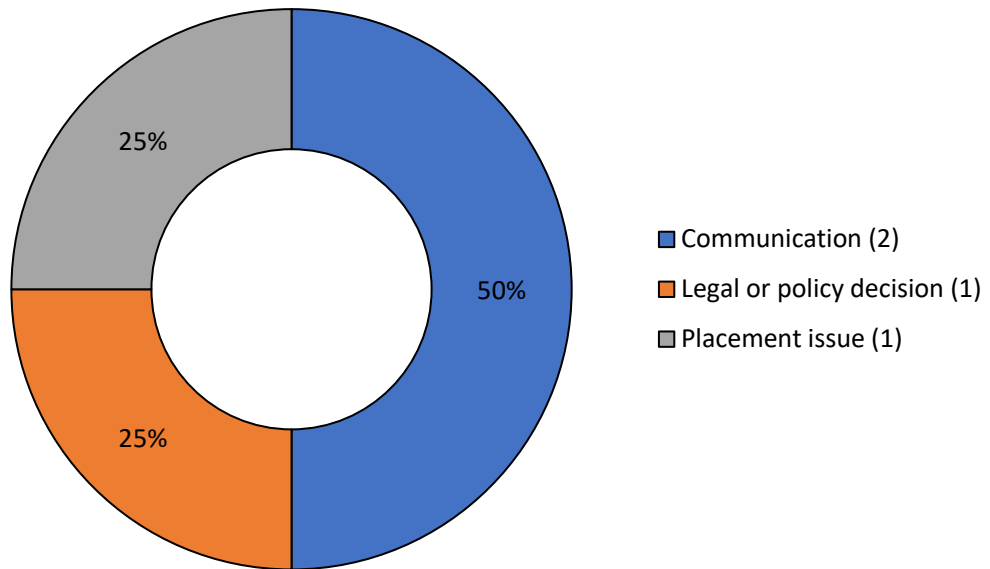
<b>6</b>	<b>Stage 2 Complaints</b>			
<b>6.1</b>	<b>Percentage of Complaints escalating to Stage 2 (2020/21)</b>			
	<b>Table 9</b>			
	Service	Stage 1	Stage 2	% escalation
	Education & Commissioning	1	1	100%
	Children's Social Care	9	3	33%
	CYAD	0	0	0%
	Total	10	4	44%
<b>6.2</b>	<b>Escalations to stage 2 trend over time</b>			
	<b>Table 10</b>			
	Service	Escalations to Stage 2		
		2018/19	2019/20	2020/21
	Education & Commissioning	30%	16%	100%
	Children's Social Care	32%	27%	33%
	CYAD	0%	0%	0%
	Total	31%	21%	44%
	<p>Some 44% of Stage 1 complaints went on to be considered at Stage 2. This is a higher percentage than previous year of 21% as the above shows. This is due to the low numbers which skews the percentages particularly with the single Education complaint going through both stages. The key figure is that 4 complaints were a Stage 2 investigation out of approximately 177 transactions.</p> <p>Ultimately, individuals are clearly informed of their right to go to Stage 2 and are not dissuaded from exercising this. Stage 2 is taken as an opportunity to again fairly investigate the issues raised and provide a considered line of reasoning to any outcomes reached.</p> <p>The majority (3) of the 4 Stage 2 complaints were for Children's Social Care, which reflects the difficult statutory social work discussed above undertaken by the service.</p> <p>Some families also raised similar issues through different individuals within the family and at different times. This means multiple complaints and escalations can be raised within the same family unit. All reasonable efforts are taken by the complaints service to ensure even where this occurs that valid complaints are reasonably addressed.</p>			

6.3	<b>Stage 2 Outcomes 2019/20</b> <b>Table 11</b>			
	Service	Not Upheld	Partially Upheld	Upheld
	Education & Commissioning Children's Social Care CYAD	1 1 0	0 1 0	0 1 0
	Total [Grand Total = 4]	2	1	1
	<p>During 2020/21, two Stage 2 complaints were not upheld, one was partially upheld and one complaint (from a young person) was upheld.</p> <p>The summarised reasons for the uphold was:</p> <p>There was fault in placing a young person under section 17 as opposed to a former relevant child. This was acknowledged and remedied to the satisfaction of the young person.</p> <p>With the partial uphold, no fault was found in service delivery but a letter that was meant to be sent to the individual was not dispatched due to an oversight and this prevented a swift resolution from being proposed.</p>			
6.4	<b>Stage 2 Response Times of known outcomes</b> <b>Table 12</b>			
	Service	Within Timescale 2020/21 (2019/20)	Over Timescale 2020/21 (2019/20)	
	Education & Commissioning	1(0)	0(1)	
	Children's Social Care	2(6)	1(0)	
	CYAD	0(0)	0(0)	
	Total	3(6)	1(1)	

## 6.5 Stage 2: Nature of Complaints

Table 13

Nature of Stage 2 Complaints 2020/2021



**Analysis:** Any Stage 1 outcomes that may have not changed a local authority decision that the individual was unhappy with would have likely been referred to Stage 2 to provide the individual with another opportunity for that decision or explanation to change.

With some complaints involving finance or financial support, as sometimes the requested outcome was significant, it is understandable that individuals would choose another opportunity for the potential to receive a sum of funds/value of support. This is evidence here in the legal/policy decision complaint. The Stage 1 was upheld, and a remedy was proposed. However, it was the extent/amount of the remedy which is why it continued to Stage 2.

The remaining complaints were ones where the Stage 1 reasoning was not accepted, and this can happen if a complaint is not all upheld. There were no fundamental differences found in the Stage 2 consideration.

<b>7</b>	<b>Stage 3 Complaints:</b>				
	There were no requests for a Stage 3 review in 2020/21.				
<b>8</b>	<b>Ombudsman (LGO) Complaints</b>				
<b>8.1</b>	<b>Complaints made to the LGO</b> <b>Table 14</b>				
	Service	No finding against Council	Partial finding	Total	
	Education and Commissioning	0	1	1	
	Children's Social Care	0	0	0	
	<p>The Council had one LGO investigation. The LGO had ceased/limited their casework services for several months at the start of the pandemic in March/April 2020. This means this year may have had less than usual numbers from the LGO.</p> <p>Two other referrals were received by the LGO, but they did not proceed with these as it did not meet their criteria for a valid complaint/investigation.</p> <p>The LGO outcome of this case was:</p> <ul style="list-style-type: none"> <li>- Felt that there was an unreasonable delay with arranging therapies sessions for a child. At the time there were limited options, but the local authority had already agreed in advance to make up for any previous missed sessions.</li> <li>- The local authority should have provided transport</li> </ul> <p>The local authority accepted and implemented any recommendations made (detailed in the remedies section)</p>				
<b>9</b>	<b>Escalation comparison over time:</b> <b>Table 15</b>				
		Stage 1	Stage 2	Stage 3	LGO
	2020/21	10	4	0	1
	2019/20	31	7	0	6
	2018/19	51	18	0	6
	<b>Analysis:</b> The escalation between stages and LGO stage over the past three years has remained low overall keeping in mind the overall level of transactions and further focus towards informal resolutions.				



<b>10</b>	<b>Remedy Payments:</b>
	<p>A “remedy payment” is made in line with the LGO guidance on Remedy Payments. Two remedy payments were made as a result of complaints investigations in 2020/21.</p> <p>These were via:</p> <p>A Stage 2 complaint where a backdated payment of £5600 was made to reflect the overall package of financial assistance that would have been provided if the child was deemed looked after and to acknowledge any distress etc in line with LGO guidance.</p> <p>The above LGO investigation recommended:</p> <ul style="list-style-type: none"> <li>- Providing missed therapy sessions. The LGO acknowledged that the Council had remedied this.</li> <li>- £500.00 for time and trouble as well as reimbursement of milage for transport.</li> </ul> <p>The council carried out these remedies as directed by the LGO which the LGO were satisfied with.</p>
<b>11</b>	<b>Mediation and Alternative Dispute Resolution:</b>
	<p>During 2020/21 the Complaints Service facilitated the following as examples of mediation/ADR and to assist with reaching a resolution and preventing further formal escalation:</p> <ul style="list-style-type: none"> <li>• Chairing a mediation meeting with a school and parents to try and find a productive way forward to prevent a child potentially missing education and to help repair the relationship between the school and parents</li> <li>• Chairing a resolution meeting with a parent, his advocate and Children’s Services management. The father felt he was heard and did not make a further complaint (he in fact later raised a compliment about the same service he complained about following the meeting)</li> <li>• Providing the corporate parenting service with strategic support to resolve an outstanding matter with the Adoption Support Fund to try and secure further support for a family</li> <li>• Meeting with a parent, grandparent, and key Children’s Services staff to try and clarify the basis of Children’s Services involvement and actions taken.</li> </ul>

12	<b>Joint NHS and social care complaints</b>
	During 2020/21 there were no joint NHS and social care complaints.
13	<b>Learning Lessons/Practice Improvements</b>
	<p>Examples of lessons learnt/practice improvements include the following:</p> <ul style="list-style-type: none"> <li>• The auditing and recording of social work in a Children’s Services case was reviewed in a complaint and found to be below the expected standard. This was raised to senior level and training was developed by our service to address this.</li> <li>• Staff were reminded to be wary of information that may not qualify as personal information, but in conjunction with other knowledge could cause disclosure concerns such as the revealing of which school or GP service a child may use to contact one parent.</li> <li>• Ensuring language used with respect to a young person was more sensitive and even when challenges need to be made, that the correct language and tone be used for this to not make the young person feel unnecessarily negative about the conversation.</li> <li>• When we speak to other local authorities to establish their remit and the service they provide, to ensure this is clarified and fully understood so the involved family or individual does not feel like they do not know which council is responsible for support</li> <li>• When an individual believes there is local authority involvement following a court order for support, that this be clarified as to manage the individual’s expectations of the local authority in this process</li> </ul>

14	<b>Compliments</b>
	<p>The majority of service users that compliment staff and the Council provide their feedback through verbal communication in care meetings or by phone.</p> <p>However, both professionals as well as families who use our services do write in to let us know their positive feedback and experiences. The below is correspondence received in 2020/21 and in total the below is as many compliments as Stage 1 and 2 investigations combined, showing an excellent ratio of positive feedback to accompany received complaint numbers.</p> <ol style="list-style-type: none"> <li>1. <i>M has been very diligent and agile when it comes to supporting the family and evidencing concerns and this has made what might have been a very complex case far more manageable.</i></li> <li>2. <i>Just to say that all my families I am currently working with use interpreters and I have been requesting a number of sessions, sometimes last minute as required and the BSS team have been incredible – just wanted to pass on my thanks to you all and also to the complaints and compliments team so they are aware of how helpful you are all being. Thanks guys! :)</i></li> <li>3. <i>Counsel for the LA commended C for her well written statement and mother’s Counsel said that the work of the LA has been ‘outstanding’ in this case. A good outcome that I am delighted to share with you!</i></li> <li>4. <i>"C has done above and beyond. Provided money, transport and called every day. I would have been lost without C"</i></li> <li>5. <i>I wanted to thank you for all your help during our appeal process. You've answered all our questions and you've always gone out of your way to help us contact the right department. our appeal has been successful. Thank you again.</i></li> <li>6. <i>I know I had said this before but I wanted to add a big thank you again for the constant support I have had during this difficult time, it has been a big reassurance to have Harrows team at the end of a phone call or email, I have always had a very quick response to any query I have had even though I know they have been incredibly busy, the recognition on today’s notice board is very much deserved.</i></li> <li>7. <i>Just wanted to share this compliment by C, lawyer who attended a contentious advocates meeting in which we proposed R to do the parenting assessment and all other parties argued that it should be completed by someone with expertise in work with the identified</i></li> </ol>

*community. Whilst writing, I just wanted to share that during the meeting the solicitor for the child was very complimentary of your work and on another case relating to an assessment you have carried out.*

*8. Thank you for forwarding a response in relation to my complaint. I would like to say thank you to J for her acknowledgement of the issues that I raised. Since my complaint was written I have had reassurances from Social Worker who has also informed me that she has uploaded the documents that I forwarded, to my sons file. T has also spoken to me regarding some of my other concerns and has explained what had happened to rectify some of them. I now have peace of mind and I finally feel heard. I would finally like to thank A for listening to myself, my husband and R as we did not get this with the first Chair. I would not like to progress onto the stage two complaint Please accept this email as confirmation of my satisfaction on how the complaint has been handled.*

*9. I hope all's well with you. I want to thank you from the bottom of my heart for forwarding my letter to the appropriate person, I am so sure that it was resolved because of your direct involvement and for that I will be always be grateful to you.*

*10. And fab work on this case S – great multiagency working that has allowed a child to remain at home with her mother. Your notes and check ins with me allowed me to complete my assessment in your absence and focus on nuance.*

*11. Dear school admissions team*

*I'm a parent with two children, one child goes to school while another is seeking admission under the sibling criteria. I called this morning with a general query about sibling admissions.*

*Ms. M was so professional, courteous and helpful, I have to send this note of appreciation for her service. She promptly answered my query but as I had to share with her the changing circumstances, issues with the school and risk to sibling admission in the same school, she patiently listened to me throughout the conversation. She has guided me to the steps to be taken to alleviate the concerns and showed such genuineness in addressing my concerns with my children's education. She told me about how it actually is in the UK and gave step by step instructions on my options.*

*This note of appreciation is not just for providing the instructions but is especially for the fact that she was genuinely interested in trying her best and resolving my concerns. She was professional, patient, knowledgeable and courteous. She has wished that all works out and also gave me her direct number to contact her for more queries.*

*I hope this note is able to do justice to the service provided by her and to convey how she has exceeded my expectations.*

*I am very grateful and request you to kindly take note of this so professional service provided by Ms. M.*

*12. I would just like to let you know about the guidance and kindness I received from R on the phone, who helped me understand where my son was in the waiting list for our preferred school. R spoke to me with calmness and compassion as she could tell I was worried and I'm so impressed by her service and wisdom. I would like to give my thanks and feedback on how helpful R has been, please can this message go to her manager. Thank you R for doing a great job*

*13. Hallo S, I want to appreciate the way you presented your lesson today and especially identifying with every child*

*14. I wanted to bring to your attention - a particular employee: F. She has been my son's social worker for many years now.*

*She is an exceptional human being with genuine compassion, love and care for what she does and I feel extremely lucky to have her. I just wanted her to be recognised at your level for her hard work and contribution.*

*Were it not for her commitment and dedication - my son, would not be where he is today*

## 15. The Complaints Process explained:

This report provides information about complaints made during the twelve months between 1 April 2020 and 31 March 2021 under the complaints and representations procedures established through the Representations Procedure (Children) Regulations 2006, and the Council's corporate complaints procedure.

All timescales contained within this report are in working days. Text in quotation marks indicate direct quotations from the 2006 Regulations or Guidance unless otherwise specified.

### 15.1 What is a Complaint?

“An expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response.”

However,

“The Children Act 1989 defines the representations procedure as being for ‘representations (including complaints)’.”

Therefore, both representations and complaints should be managed under the complaint's procedure (unlike for Adult social services, where only complaints need be captured).

### 15.2 Who can make a Complaint?

The child or young person receiving or eligible to receive services from the Council or their representative e.g. parent, relative, advocate, special guardian, foster carer, etc:

“The local authority has the discretion to decide whether or not the representative is suitable to act in this capacity or has sufficient interest in the child's welfare.”

### 15.3 What the complaints team do:

- Letter-vetting
- Liaising with services to try resolve the issue informally
- Mediation
- Training
- Raising awareness / staff surgeries
- Learning facilitation and agreed actions monitoring
- Deliver a unique complaints support SLA to schools
- Advocacy commissioning and support

### 15.4 Stages of the Complaints Procedure

The complaints procedure potentially has three stages:

**Stage 1:** This is the most important stage of the complaint's procedure. The Service teams and external contractors providing services on our behalf are expected to resolve as many complaints as possible at this initial point.

The Council's complaints procedure requires complaints at stage 1 to be responded to within ten working days (with an automatic extension to a further ten days where necessary).

**Stage 2:** This stage is implemented where the complainant is dissatisfied with the findings of stage 1. Stage 2 is an investigation conducted by an independent external Investigating Officer for all statutory complaints and an internal senior manager for corporate complaints. A senior manager adjudicates on the findings.

Under the Regulations, the aim is for stage 2 complaints falling within the social services statutory complaints procedures to be dealt within 25 days, although this can be extended to 65 days if complex.

**Stage 3:** The third stage of the complaints process is the Review Panel under the statutory procedure. Under the corporate complaints process, there is no Stage 3. This panels remit is not to reinvestigate the complaint.

Where complainants wish to proceed with complaints about statutory Children's Services functions, the Council is required to establish a complaints Review Panel. The panel makes recommendations to the Corporate Director who then makes a decision on the complaint and any action to be taken. Complaints Review Panels are made up of three independent panellists. There are various timescales relating to stage 3 complaints. These include:

- setting up the Panel within 30 working days;
- producing the Panel's report within a further 5 working days; and
- producing the local authority's response within 15 working days.

## **Local Government Ombudsman**

The Ombudsman is an independent body empowered to investigate where a Council's own investigations have not resolved the complaint.

The person making the complaint retains the right to approach the Local Government Ombudsman at any time. However, the Ombudsman's policy is to allow the local authority to consider the complaint and will refer the complaint back to the Council unless exceptional criteria are met.

*Note: Previous years had some limited gender and race data at the end of the report based on complainants. However, as the data set was so small, this data could not reasonably provide any meaningful interpretation and the importance of equality and diversity is such that only meaningful consideration should be applied.*

*The Complaints Service will consult with our Equality, Diversity, and Inclusion Service on an ongoing basis when any relevant queries or concerns are raised to ensure this is always considered as a priority.*