

Children & Young People



**ANNUAL COMPLAINTS REPORT
APRIL 2023 – MARCH 2024**

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May 2023**

PURPOSE/SUMMARY:

This report has been produced in line with the statutory requirement to update Members and provide current information in respect of complaints related to Children's Social Care Services. This report looks at the period 1 April 2023 to 31 March 2024 and will allow Members to see the extent and complexity of Children's Social Care Service's span of activity and to receive information relating to the quality of the services delivered.

Members are asked to note the content of the report and advise Officers of future requirements in respect of the reporting of complaints relating to Children's Social Care Services.

1.0 INTRODUCTION

- 1.1 In line with guidance from the Department for Education, Local Authorities are required to publish an Annual Complaints Report covering the council year. This report is to provide current information in respect of complaints related to Children's Social Care Services for the year 2023/2024.
- 1.2 As part of our continued approach to monitoring performance, the status of all complaints is also shared weekly to the Children's Senior Management Team. Analysis of lessons learnt from complaints are also reported to Senior Managers and, where there is wider learning, discussions take place accordingly.

2.0 WHAT IS A COMPLAINT

- 2.1 A complaint may be generally defined as 'an expression of dissatisfaction or disquiet' in relation to an individual child or young person, which requires a response. A complaint may be made by a written or verbal expression.
- 2.2 Complaints principally concern service delivery issues, including the perceived standard of these services and their delivery by service providers. These recorded figures only represent a percentage of complaints received as many of the issues are resolved on an informal basis operationally and do not need recording by the complaints section.
- 2.3 The Complaints Procedure is not designed to deal with allegations of serious misconduct by staff. These situations are covered under the separate disciplinary procedures of the Council.
- 2.4 It is a legal requirement that Children's Social Care Services has a distinct complaints procedure. This statutory procedure provides the means for a child or young person to make a complaint about the actions, decisions or apparent failings of a local authority's children's social care provision. It also allows an appropriate person to act on behalf of the child or young person concerned or to make a complaint in their own right.
- 2.5 For some service users, and for children and young people particularly, it is not easy to make a complaint. This can be the case when the person using the service may be apprehensive about what may happen if they do complain. It is important, therefore, that all complaints are treated seriously, in confidence, investigated and are given due attention. It is therefore the role of the Complaints Manager – Children's Services to provide a degree of independence and support to the complainant whilst ensuring the complaint follows the statutory procedure. If a complaint is received directly from a

child or young person, an automatic referral is made for advocate support to Bury Children's Rights Service, which is an independent advocacy service commissioned by Children's Social Care. Feedback to complainants about their complaint is essential.

- 2.6 A prime objective of the Children's Social Care Complaints Procedure is to ensure the Local Authority develops a listening and learning culture where learning is fed back to children and young people who use services. Complaints present an opportunity for the Local Authority to learn why people who are using our services find them unsatisfactory, and how we can improve the services we provide.

3.0 THE SOCIAL CARE COMPLAINTS PROCEDURE

- 3.1 When a complaint is initially received, it is logged and acknowledged. It is then allocated to the relevant Team Manager with a request to contact the complainant within 48 hours to attempt to resolve the matter informally. If there is no resolution or the complainant cannot be contacted, the complaint is moved to formal Stage 1 at that point.
- 3.2 The formal handling and consideration of complaints consists of three stages:
- Stage 1: Local Resolution, informal or with written response
 - Stage 2: Independent Investigation
 - Stage 3: Review Panel
- 3.3 Local Resolution requires the Local Authority to resolve a complaint as close to the point of contact with the service user as possible (i.e. through front line management of the service). Emphasis is placed on resolving complaints under Stage 1, local resolution, because this should provide a timelier response and is user friendly. The Department strives to investigate and resolve complaints within 10 working days although the procedure does allow a 20-working day timescale for more complex complaints. In most circumstances attempts are made to resolve complaints informally within 48 hours of receipt. If this proves unsuccessful, the complaint automatically moves to formal Stage 1 within 48 hours of receipt of the complaint.
- 3.4 Where the complaint is not resolved locally, e.g. Stage 1, or the complainant remains dissatisfied with aspects of the Local Authority's response, the complaint can be considered at Stage 2. Stage 2 involves an independent investigation which is completed by an external Investigating Officer. This has the oversight of an Independent Person, also from outside the Local Authority, to ensure a full and fair investigation is carried out. We aim to send a Stage 2 response with a full report within 25 working days, although this can be extended up to 65 working days in complex cases.
- 3.5 When Stage 2 of the Children's Social Care Complaints Procedure has been concluded and the complainant remains dissatisfied, they are eligible to request further consideration of the complaint by a Stage 3 Review Panel. The Chair of the Panel decides membership of the Panel on a case-by-case basis. Membership of the Panel would depend upon the issue being complained about as specialist advice may be required, for example an adoption complaint would require an adoption specialist, etc.

- 3.6 The Review Panel does not reinvestigate the complaint or consider any substantively new issues of complaint that were not first considered at Stage 2. The purpose of the Panel is to consider the initial complaint and wherever possible, work towards a resolution. The Panel should be convened within 30 working days of a request and its report (including any recommendations) will be sent within 5 working days following the meeting. The Department then issues its response to the complainant within a further 15 working days.
- 3.7 Where a complainant remains dissatisfied with the Local Authority's response to the Review Panel's recommendations, the complainant has the right to refer their complaint to the Local Government Ombudsman. The Complaints Manager will assist with this process by providing contact details for the LGO. The LGO will not consider complaints which have not completed the Complaints procedure through all three stages.

ANALYSIS OF PROGRESS OF COMPLAINTS RECEIVED

All figures below relate to the period from 1 April 2023 to 31 March 2024. Reference is also made to outstanding complaints or complaints which were reported as not being agreed or completed as of 31 March 2024.

4.0 SOCIAL CARE COMPLAINTS RECEIVED

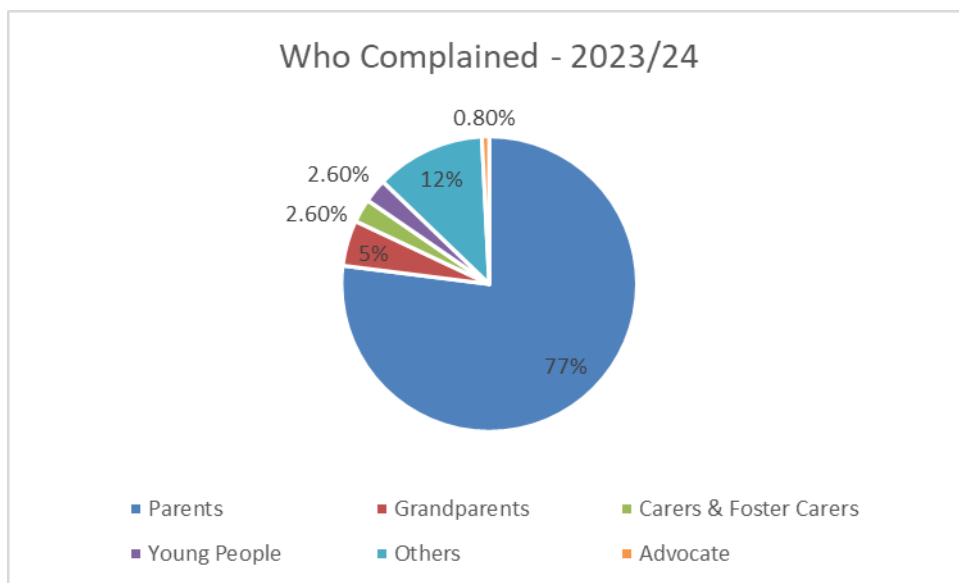
- 4.1 Social Care Teams received a total of **117** total complaints during the 2023/24 financial year. Of these complaints, **11** were resolved at the informal stage. **106** were investigated as Stage 1 formal complaints and these are the focus of this report.
- 4.2 This year, within these complaints, **9** (7.7%) were received via MPs/Councillors which is a slight reduction on the previous year (10 in 2022/23).
- 4.3 The focus of this report is the **106** Stage 1 complaints received in 2023/24. Overall, this represents an increase overall in the total number of complaints received compared to 66 received last year.
- 4.4 Complaints resolved at the informal stage have decreased compared to last year.
- 4.5 All Stage 1 complainants receive a written letter of response outlining details of the investigation and any findings. At the end of the letter, complainants are requested to contact the Complaints Team if they wish to discuss any outstanding issues or if they remain unhappy with the response. Apologies are offered as appropriate.
- 4.6 There were **16** complaints in 2023/24 where the service user was dissatisfied with the response they received and requested consideration at Stage 2. Five of these, following further discussions or a meeting with the relevant Service/Senior Manager or Strategic Lead, matters were resolved.
- 4.7 There have been **8** enquiries from the Local Government Ombudsman (LGO) in 2023/24 regarding Social Care related matters.

5.0 WHO COMPLAINED?

5.1 The breakdown of sources of complaints is reported at 5.3. Of the **106** complaints resolved at Stage 1, most of the complaints received (79.6%) were from parents/carers of children inc foster carers. Young people are encouraged and supported to raise their own concerns with the assistance of advocacy from Bury Children's Rights Service. Bury Children's Social Care Services and Bury Children's Rights Service continue to work with their joint working protocol to ensure that a consistent and timely service is offered to children and young people in the care of Bury Local Authority when they raise a concern via their advocate.

5.2 This year, complaints have been received from extended family members, a teacher and 2 unrelated 3rd parties, these are in the 'other' category. However, due to confidentiality issues, we are unable to respond to these complaints. A letter was sent in each case explaining the reasons behind the refusal to investigate.

5.3



6.0 ADVOCACY

6.1 Concerns and complaints received from Children and Young People in Care are very important. Young people are often supported to make a complaint by Bury Children's Rights.

6.2 An advocate from Bury Children's Rights Service will initially raise the concern with the Young Person's Social Worker, and if no timely response is received, this will be referred to the Social Worker's Team Manager for a response.

6.3 If the Young Person is unhappy with the response, their advocate will assist the child or young person to make a formal complaint at Stage 1 of the Statutory Children's Social Care Complaints Procedure.

6.4 There was 1 such complaint received this year via an Advocate for a Young Person. We also received 2 complaints made by Young People this year. It is important to note that numerous informal meetings have taken place between advocates and social workers and concerns were resolved prior to formal complaint procedures.

7.0 TIMESCALES OF STAGE 1 SOCIAL CARE COMPLAINTS

7.1 The table below shows the percentage of complaints responded to within reporting timescales.

7.2

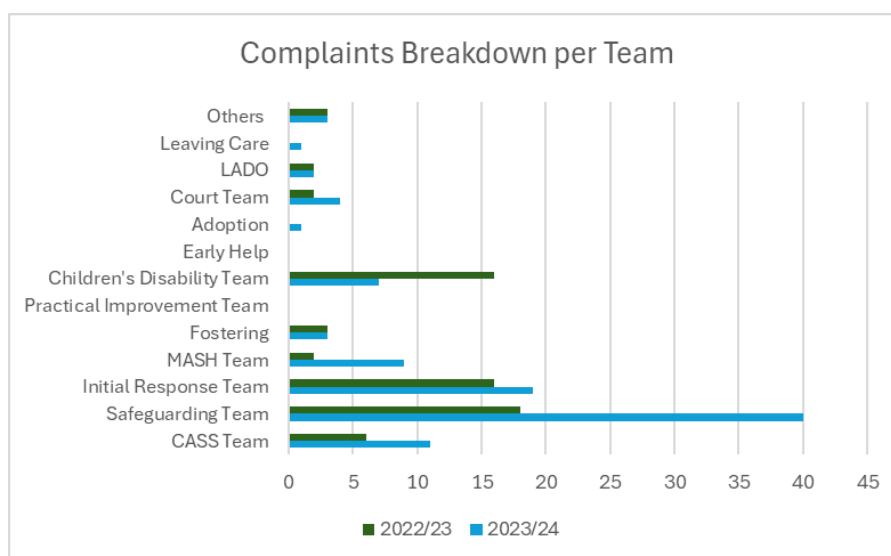
Year	10 Working Days	20 Working Days	Late Responses
2023 /2024	14.3%	49.1%	36.6%

7.3 These delays were as a result of the following: complexity of issues raised within the complaints; complainants adding additional issues to the original complaint; and complaints where a request to move to Stage 2 is received but, with further discussions and meetings, the matter was resolved at Stage 1.

8.0 COMPLAINTS BY TEAM

8.1 Some teams have experienced a small increase in the total number of complaints received – the Court Team, Initial Response Team, the Care and Support Service (CASS). The Multi Agency Safeguarding Hub (MASH) and the Safeguarding Teams have experienced a significant increase, (see 8.2 below) However, the Children with Disabilities Team have experienced a significant decrease in complaints received. Some complaints relate to more than one team.

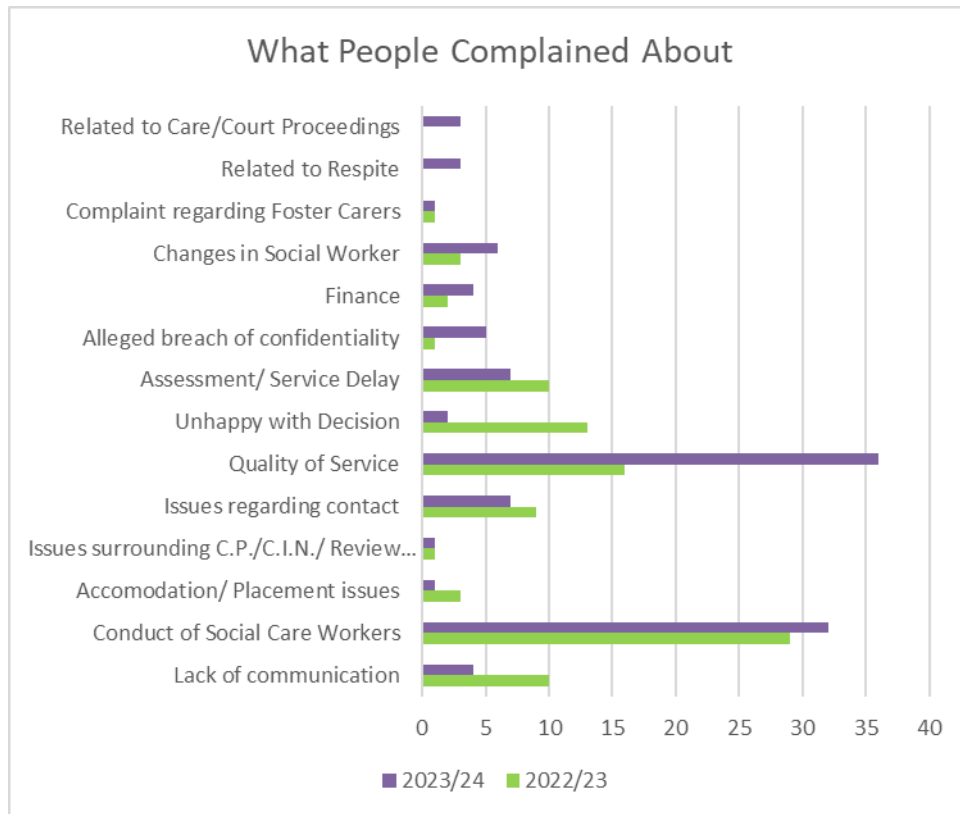
8.2



9.0 WHAT PEOPLE COMPLAINED ABOUT

9.1 All complaints are categorised by the issues being raised as shown within the graph below, some complaints cover more than one category and are shown in both categories for reporting.

9.2



10.0 HOW WE DEALT WITH COMPLAINTS

10.1 Initially, **11** complaints were allocated to Team Managers as informal complaints with a request to ring the complainant within 48 hours to try to resolve the issue. Of these complaints, all were resolved by a telephone call and did not progress to the formal stage. All complaints are also copied to the relevant Service Manager and/or Strategic Lead for their information.

10.2 Stage 1 are investigated by the relevant Team Manager, with oversight by the Head of Service. A written response is provided to the complainant which highlights the findings of the investigation. It also includes, if appropriate, information regarding any action that is being taken because of the complaint. In most cases, a letter of explanation, with an appropriate apology if required, are sufficient to resolve the matter.

10.3 In 2023/24, **11** complainants were initially dissatisfied with the Stage 1 outcome and requested to move to Stage 2. Of these 8 were investigated by an Investigating Officer and an Independent Person as per the Children's Social Care Policy. The reports from these were sent to the Adjudicating Officer. Three complaints are currently being investigated at Stage 2.

11.0 QUALITY ASSURANCE / BUDGET POSITION

11.1 The Complaints Manager attends quarterly meetings with Children's Services Social Care staff. Additionally, Team Managers are now familiar with carrying out complaint investigations and providing written responses. Heads of Service continue to have quality assurance oversight of responses and, where required, additional mediation

and meetings have taken place. This means that the majority of complaints were resolved at Stage 1.

12.0 COMPLIMENTS RECEIVED

12.1 It is positive that the Teams also receive compliments for work which is well done.

12.2 We have received **20** compliments regarding the Children's Services Teams in the last year. Team Managers are encouraged to record and share compliments received, as it is important that good practice is acknowledged and shared across all services as wider learning.

13.0 EQUAL OPPORTUNITIES MONITORING

13.1 Whilst efforts have been made to monitor the personal data of the Authority's complainants; many have not returned the diversity questionnaire

14.0 REPEAT AND VEXATIOUS COMPLAINTS

14.1 We do receive some complaints which may be construed as either vexatious or persistent. This type of complaint impacts greatly on the time of both the Complaints Manager and Departmental Staff and hinders the completion of other complaints.

14.2 The Local Government Ombudsman remains a source for advice in these situations, especially when it is felt that a Stage 2 Investigation would not provide a different outcome/resolution. A small number of complainants are advised to contact the LGO if they remain dissatisfied with the Local Authority's response.

15.0 LEARNING FROM COMPLAINTS

15.1 To demonstrate learning from complaints, and the Department's commitment to use complaints to improve standards of services, all Team Managers are required to complete a "Lessons Learnt" form following each complaint investigation. Quarterly analysis of feedback and learning is shared with Managers and is shared during Team Meetings.

15.2 Some complaints identify lessons learnt in dealing with a particular individual or family which may benefit others; others offer a wider learning experience. It is important that we all learn from the messages within complaints and act upon these to bring further improvements to Social Care work within Bury. Disappointingly, the return rate has only been 36 forms and this means we are missing some opportunities to learn and improve.

15.3 The recommendations from complaints received during 2023/2024 are:

- Accurate reporting – of both complaints and compliments
- Communication of social workers – including during transitions
- Quality of service – both when carers feel they should be getting a better service and when they do not feel they need to the support of statutory social work teams
- Information Governance – including secure emails
- Feedback/sharing of information – building a better service

15.4 The themes highlighted are central to our Improvement Plan. The purpose of the Improvement Plan is to improve the quality of service for children and families. As part of our improvement work, we have implemented a new model of practice which is founded on strengths and relationship-based practice. We have developed the Bury Commitments which describes the cornerstones of good practice and the first of which is relationships. Changes in social workers is related to the high use of agency, and recruitment and retention is another key workstream within the Improvement Plan. Securing a permanent workforce to ensure that relationship-based practice can flourish is a priority.

We are also reviewing our approach to learning from complaints and ensuring that there is a more robust approach to implementing the learning from complaints, including those escalated to the LGO.

The complaints officers will attend SLT regularly to share updates on complaints and learning themes so it can inform service planning and improvement real time.

16.0 CONCLUSIONS

16.1 The Complaints process has been monitored and evaluated throughout the year to ensure that the Council not only meet the requirements of the statutory regulations and guidance, but those of the families we work with. Quarterly reports are provided to senior managers.

16.2 Whilst it is positive that the number of complaints resolved at stage 1 is high, there is still room for improvement.

16.3 The complaints report relates in the main, to the period of time prior to the establishment of the Policy and Compliance team. The Policy Compliance Team was established on the 1st March 2024. The new Policy Compliance team will focus on compliance to support the corporate co-ordination, quality assurance and reporting of member enquiries and casework, MP enquiries, formal complaints, FOIs, SARs (with the exception of those in Childrens and Adults) and LGO liaison; some of these functions are currently dispersed across services, leading to lack of compliance with deadlines, and importantly, minimal insight on what Members and residents are telling us about our services.

Background information:



6. ANNUAL
COMPLAINTS REPOR