

## **NORTH LINCOLNSHIRE COUNCIL**

### **CHILDREN, FAMILIES AND CULTURE CABINET MEMBER**

#### **CHILDREN'S SERVICES COMPLIMENTS AND COMPLAINTS REPORT 2018-19**

##### **1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To present the annual Children's Services Compliments & Complaints Report 2018-19 in line with statutory requirements

##### **2. BACKGROUND INFORMATION**

- 2.1 There is a legal requirement to present an annual report on representations and complaints, received about services delivered under the Children Act 1989. The council's 2018-19 annual report is attached at appendix 1.
- 2.2 These statutory procedures confer on service users, or representatives acting on their behalf, the right to make representations about services. There is a requirement that local authorities address these representations through a three-stage procedure for complaints for social care services for children.
- 2.3 The first stage is an internal review carried out by a manager; the second stage is an investigation conducted by someone who is independent of the council and the third stage is a panel review whose members are new to the case. The guidance specifies the timescales for dealing with complaints at each stage. .
- 2.4 During 2018-19 there were 36 stage 1 statutory complaints about Children's Services, which represents a very small proportion of service users and contacts. This is 25% fewer complaints received than in the previous year. All of the stage 1 complaints were responded to within timescale.
- 2.5 After the council's complaints process has been completed, the complainant has a route of appeal to the Local Government and Social Care Ombudsman if they remain dissatisfied. Six complaints regarding statutory children's services were escalated to the Local Government and Social Care Ombudsman and one of these was upheld. This compares to two complaints the previous year, of which none were upheld.
- 2.6 A report setting out the detailed findings contained within the Local Government and Social Care Ombudsman's Annual Review Letter 2018-19

will be considered by the Resident Engagement and Governance Cabinet Member.

- 2.7 The annual report provides a summary of the complaints received together with the outcome and learning. The service uses complaints findings to inform service development and improvement. The report provides an overview of the actions taken as a result of complaints information and demonstrates an overall positive direction of travel for complaints handling.

### **3. OPTIONS FOR CONSIDERATION**

- 3.1 Option 1: To receive and approve the Annual Children's Services Compliments and Complaints Report for 2018-19.
- 3.2 Option 2: Not to approve the report.

### **4. ANALYSIS OF OPTIONS**

- 4.1 Option 1: Approving and publishing the annual complaints report for Children's Services will meet our statutory duty.
- 4.2 Option 2: Not approving the annual report will not meet our statutory duty.

### **5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)**

- 5.1 As set out above, there is a legal requirement to publish an annual report.

### **6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)**

- 6.1 The report will be shared with relevant partner organisations.

### **7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

- 7.1 An integrated impact assessment has not been undertaken as this report presents a summary of findings from complaints that have been investigated in line with statutory requirements.

### **8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

- 8.1 None

### **9. RECOMMENDATIONS**

- 9.1 That the Annual Children's Services Compliments and Complaints Report is received and approved for publication.

DIRECTOR OF GOVERNANCE AND PARTNERSHIPS

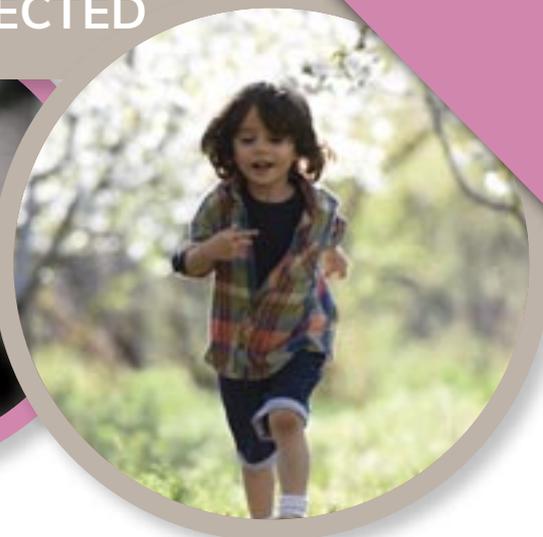
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**Background Papers used in the preparation of this report –**

Children Act 1989  
Annual Children's Services Compliments and Complaints Review 2018-19  
Local Government and Social Care Ombudsman's Annual Review Letter 2018-19

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## North Lincolnshire Council

Children's Services  
Compliments  
& Complaints Report

Statutory Representation

# Annual Review 2018-19

**North  
Lincolnshire  
Council**

[www.northlincs.gov.uk](http://www.northlincs.gov.uk)



# INTRODUCTION

2018-19

This report provides a review of the compliments and complaints for statutory services to children and families for the year 1 April 2018 – 31 March 2019.

It outlines the complaints made under the statutory procedure and the actions taken in response.

## **The report is set out as follows:**

### **Introduction and Executive Summary**

#### **Section 1: Background**

#### **Section 2: Compliments Received**

#### **Section 3: Summary of Complaints**

#### **Section 4: Statutory Timescales**

#### **Section 5: Complaints by Complainant Type**

#### **Section 6: Complaints by Finding & Issue**

#### **Section 7: Local Government and Social Care Ombudsman**

#### **Section 8: Learning from Complaints**

#### **Section 9: Reporting and Monitoring**

#### **Section 10: Conclusion**



# EXECUTIVE SUMMARY

36 stage 1 complaints were received, compared to 48 complaints in the previous year. This was a decrease of 25% and is the lowest level of complaints received in the last 3 years

3% of the complaints received were upheld in whole and 8% were upheld in part, which represents a relatively low percentage. The previous year showed similar figures of 4% of complaints upheld in whole and 10% upheld in part

Complaints about the Children in Need Service have shown a 50% decrease from last year, with 9 complaints received compared to 18 complaints in the previous year

Complaints about the Children in Care Service have shown a decrease of 53% from last year, with 8 complaints received compared to 17 complaints in the previous year

Work has been ongoing in 2018-19 to resolve complaints informally where possible, by Restorative Practice methods, and we feel that this has influenced the decrease in complaints

The complaints represented 3% of service users. In the previous year the number of complaints represented 5% of service users

The timeliness of Stage 1 responses has improved with 72% of complaints answered within 10 working days and 28% answered within 20 working days, as permitted by statutory guidance. In the previous year 40% were answered in 10 working days, 20% were answered within 20 working days

There were 7 complaints at stage 2 with none upheld and 1 still being investigated. This compares to 6 complaints at stage 2 in the previous year, of which 3 were upheld in part

There were no complaints at stage 3 compared to 1 complaint at stage 3 in the previous year

The Local Government and Social Care Ombudsman received 6 complaints. Only one of these complaints was upheld. In the previous year, 2 complaints were received and neither was upheld



# SECTION 1: BACKGROUND

This report provides a review of the complaints and representations for statutory services to Children's Services for the year 1 April 2018 – 31 March 2019.

The report makes extensive use throughout of feedback received, as well as insight and learning from services.

The complaints procedure is designed to make sure that issues of concern to service users or their representatives are responded to without delay and without unnecessary complication. It alerts the Local Authority to any issue requiring change, or where there is learning, for the benefit of children, young people or families. As such, it is an important part of the learning and improvement framework.

Since last year's report we have shown a renewed commitment to strong engagement with people and in particular to strengthen our informal resolution practices. We have embraced the Restorative Practice approach and during the very early stages of a complaint, we have increased our face-to-face meetings with a complainant. We feel that the 25% reduction in complaints is due to this new approach in complaints handling.

The scope of the report is in respect of complaints that have been received under the terms of the 'Children Act 1989, Representations Procedure Regulations (England) 2006'.

The Children Act 1989 places a duty on all councils to establish and publicise a procedure for the consideration of representations and complaints made to them about the services provided to them under the Act.

The Act also requires that local authorities responsible for Children's Services produce and publish an annual report on the statutory complaints and representations procedures.

The Children Act procedure applies to representations about Children's Social Care Services and specifically services that are provided under parts 3, 4 & 5 of the Children Act. These services include the following provision:

- **family support services**
- **services for children with a disability**
- **care and protection of children & young people**
- **services to care leavers**
- **adoption and special guardianship orders**

Some complaints received do not meet the criteria to be dealt with under the statutory process. When this is the case, these are processed through the council's corporate complaints process. The corporate complaints process differs in timescale.

We want anyone who is involved in the process, in whatever capacity, to have confidence in it; the principles of the procedure are therefore that:

- **the procedure is easy to use and understand;**
- **complaints are dealt with in an objective, open manner;**
- **the complaint is subject to a thorough scrutiny;**
- **the process is led by the complainant;**
- **people involved in the process will get the support they need;**
- **the process is focused on finding solutions;**
- **the service is open to learning from the complaints raised.**

This procedure will ensure that:

- **concerns are taken seriously;**
- **complaints are dealt with promptly and effectively;**
- **there is a full response and a clear outcome for complainants;**
- **complaints are dealt with fairly and even handedly;**
- **those involved in the process, complainants, their representatives and staff, are treated with dignity and respect;**
- **there is equality of access and standard of service for all complainants with particular consideration for those people who may find it more difficult to use the process e.g. younger children, people with disabilities, those whose first language is not English.**

Complaints can be made by children and young people on their own behalf, by parents or carers and by any other person that the child wants to represent them, or who has a sufficient interest in the welfare of the child.

The key principles of the complaints procedure are that it is accessible, transparent and fair. The council wants anyone who has a concern about services to feel confident that they can raise their concerns and that they will be dealt with in a way that is independent and impartial.

The complaints procedure is regarded as another means of capturing the voice of the child and the family. Whilst it is always hoped that the need to make a complaint would not arise, it is recognised that there will be occasions when, despite best efforts, services do not meet expectations of the people who use them. In those circumstances the complaints procedure offers a framework for hearing what people think of their service, for resolution of concerns and for learning about our service provision.

The council recognises that it is not always easy for individuals to make a complaint so advice and, where required, support is made available.

Children and young people have the assistance and support of the children's advocate if they need it.

Complaints offer the opportunity to look in detail at areas of provision and at practice. In so doing they provide the opportunity to learn about what is working well and also about where services can be developed and improvements can be made.



There are three stages in the statutory complaints process, as follows:

## Stage 1 – Local Resolution

This stage allows the people most closely involved with the service concerned to deal with the issue that has been raised. This is because usually these practitioners are familiar with issues raised and understand what can be done to sort it out promptly. Complaints at stage 1 should be resolved in 10 days, however up to 20 days is allowed for more complex complaints.

## Stage 2 – Independent Investigation

If the complainant considers that their complaint has not been resolved at stage 1 they may request to progress it to stage 2. This stage involves the appointment of an Investigating Officer. The Investigating Officer is independent of the service. If the complaint directly involves a child or young person then someone independent of the council, the 'Independent Person' oversees the investigation. The Independent Person provides an extra assurance that the complaint is investigated properly and fairly.

The complainant will get a full report from the investigation, along with the responsible manager's decision. The responsible manager is the senior officer of the service concerned.

The investigation should be completed and the response sent to the complainant within 25 working days of the date on which the complaint was agreed. If the complaint is complex, or there are reasons why the investigation will take longer there can be an extension, with the agreement of the complainant. This extension must not be later than 65 working days in total from the date the complaint was agreed.

The Investigating Officer will present their report to the Adjudicating Officer (the Principal Officer responsible for the service concerned in the complaint, or someone nominated to act on their behalf) at a meeting which they attend along with the Representations Manager and Independent Person.

The complainant will receive a copy of the Investigating Officer's report, the Independent Person's comments (where necessary) and the Adjudicating Officer's response.

## Stage 3 – Panel Review

Stage 3 is the final stage of the procedure, if required. It is an independent review of the complaint. A panel of three people, who are all new to the complaint and who are independent of the Local Authority, review the information from the Stage 2 investigation. They talk to the complainant, the Investigating Officer and the responsible manager. They then make recommendations to the Director of the Service, who must take them into account in reaching the final decision on the complaint.

Panel review will be held within 30 working days of the request being received. The Chair of Panel will meet with the appropriate Director (or their nominated representative) to explain the panel's decision. Within 20 working days of the panel review the Director will inform the complainant about what action will be taken in response to panel's decision.

## Local Government and Social Care Ombudsman

Once the 3 stage statutory process has been exhausted a complainant has the right to take their complaint to the LG&SCO.

## SECTION 2: COMPLIMENTS RECEIVED

In capturing compliments, customers express not only their satisfaction with the services but they also convey a wider story of their acute needs being met and they add a real social value.

Learning from things that have gone right is essential to our service delivery and good practice. Not only does it highlight the good work that is happening service wide but it also enables us to understand what works.

This section of the report contains a highlight of the compliments received in 2018-19. Customers provide feedback by a variety of methods such as telephone, letter and email.

Children's Services received 162 compliments in 2018-19.

"I want to thank you for being so supportive to me this year, and since I met you. You have been so nice to me and I do appreciate that I have someone like you to help me at this moment of time. I will never forget what you have done for me."

"She tells me everything I need to know, she keeps me up to date with everything, she is good, I am really happy with her work."

"She really wanted us to be happy."

"I am grateful for all the support the social worker has given us."

"How amazing are you? You have been my rock."

"I am extremely grateful to the Local Authority for the opportunity they have given me and the children."

"It is brilliant, loads of chances for our children to meet other adopted children."

"The tutor was excellent, very knowledgeable, I loved the approach."

"Thank you for all your help & support which has enabled our children to access mainstream activities. The support we have received from you has meant we have been able to enjoy family life. You've all been friendly, caring and supportive and made a positive difference to us all."

## SECTION 3: SUMMARY OF COMPLAINTS

This section of the report provides a summary of the complaints that were received within the year 2018-19.

### Overview of Stage 1 Complaints Activity:

We received 36 statutory complaints in 2018-19, which is a decrease of 25% compared to the previous year. This is the lowest level of complaints we have received in the last 3 years. In comparison to the number of children and families we work with the number of complaints is very low, representing 0.65% of all contacts.

### Overview of Stage 2 Complaints Activity:

We received 7 stage 2 complaints which is a slight increase of 1 in comparison to the previous year.

### Overview of Stage 3 Complaints Activity:

Complaints at stage 3 remain very low with no complaints at this level, compared to 1 in the previous year.



## SECTION 4: STATUTORY TIMESCALES

Complaints made under the Children Act procedure are subject to statutory timescales. These are outlined in section 1 of this report. Our response times for 2018-19 were:

### Stage 1

We responded to 72% within working 10 days, with a further 28% responded to within 20 working days in line with the statutory guidance for complaints which are more complex.

This compares to 40% of complaints being responded to within 10 days and 20% within 20 days in the previous year and demonstrates a significant improvement this year.

### Stage 2

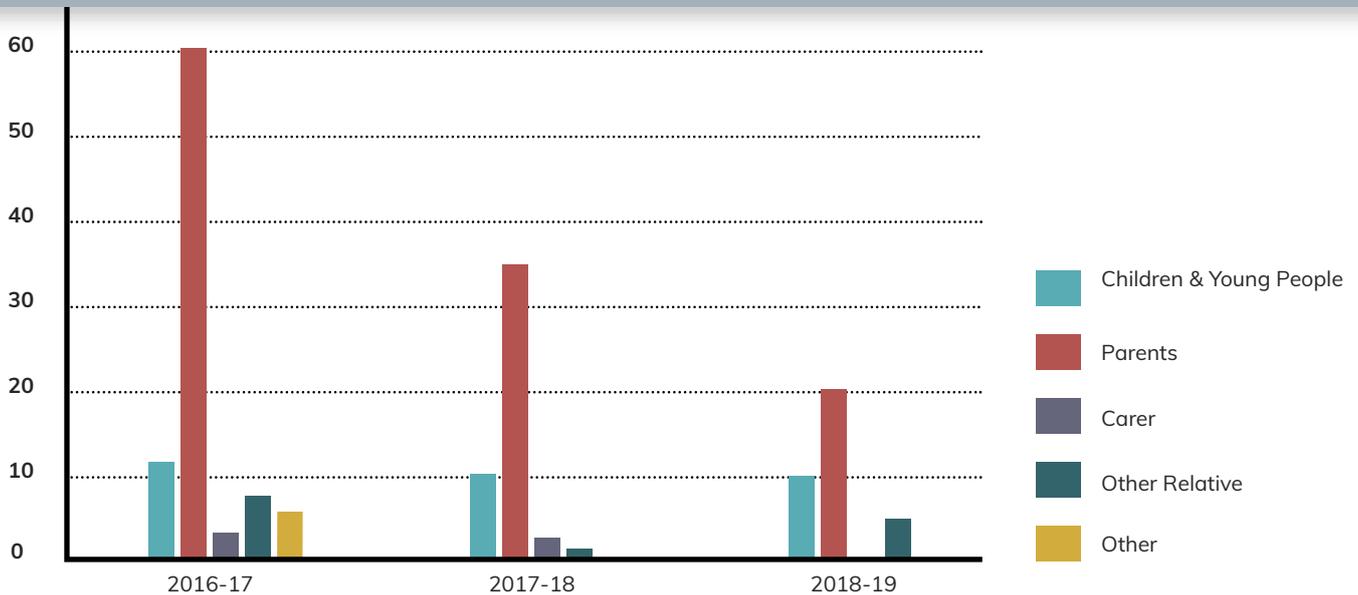
Of the 7 investigations at Stage 2, 43% were investigated within the timescale.

### Stage 3

There were no Stage 3 complaints this year.

# SECTION 5: COMPLAINTS BY COMPLAINANT TYPE (STAGE 1)

2018-19



58% of the complaints made, were made by parents. Parents complain about the service from the families experience as a whole, or on behalf of their children.

Complaints made by children and young people, has stayed at the same figure as the previous year. Children and young people complaints account for 28% of the overall complaints. All of these complaints have been supported by the children's advocacy service. Carers and other relatives are the lowest complainant category this year, with 14%, of the overall complaints.

It is of the utmost importance that children and young people can express their concerns through a complaints procedure. Complaints from children and young people show a different perspective from a child's view, to the service that is being delivered. Children and young people complain to the council in various ways including use of the council's complaints leaflets, the online complaints form, social media and the children's advocacy service, whose role is to support and advise children through the complaints process.

In 2018-19 more emphasis and ongoing support has been given to children and young people in how and where a child wishes to receive the response to their complaint so that they are comfortable with their surroundings. This has resulted in meeting the child or young person in their home or at school or college using various communication methods such as face-to-face meetings, text, letters and the interpretation service.

Response letters to children are now written in a 'child friendly' way to ensure that they understand the response and are not worried by the complaints process.

## SECTION 6: COMPLAINTS BY FINDING & ISSUE

### Complaints by Finding – Upheld in Whole, In Part, Not Upheld and Not Found

Stage 1	2016-17		2017-18		2018-19	
	Number	Percentage	Number	Percentage	Number	Percentage
Upheld Whole	5	6%	2	4%	1	3%
Upheld in Part	16	18%	5	10%	3	8%
Not Upheld	59	68%	35	73%	31	86%
Not Found	7	8%	6	13%	1	3%
Total	87	100%	48	100%	36	100%

The chart illustrates that 86% of the complaints we have received in the year 2018-19, were not upheld, compared to 73% in the previous year.

11% of the complaints were upheld in whole or in part, compared to 14% in the previous year.

3% of the complaints received this year have been categorised as not found, compared to 13% in the previous year.



## Complaints by Finding – Upheld in Whole, In Part, Not Upheld and Not Found

Stage 2	2016-17		2017-18		2018-19	
	Number	Percentage	Number	Percentage	Number	Percentage
Upheld Whole	0	0%	0	0%	0	0%
Upheld in Part	1	33%	3	50%	0	0%
Not Upheld	2	67%	3	50%	0	0%
Not Found	0	0%	0	0%	0	0%
Total	3	100%	6	100%	7	0%

The chart illustrates that none of the complaints we have received in the year 2018-19 at stage 2, were upheld in full, which is the same as in the previous year.

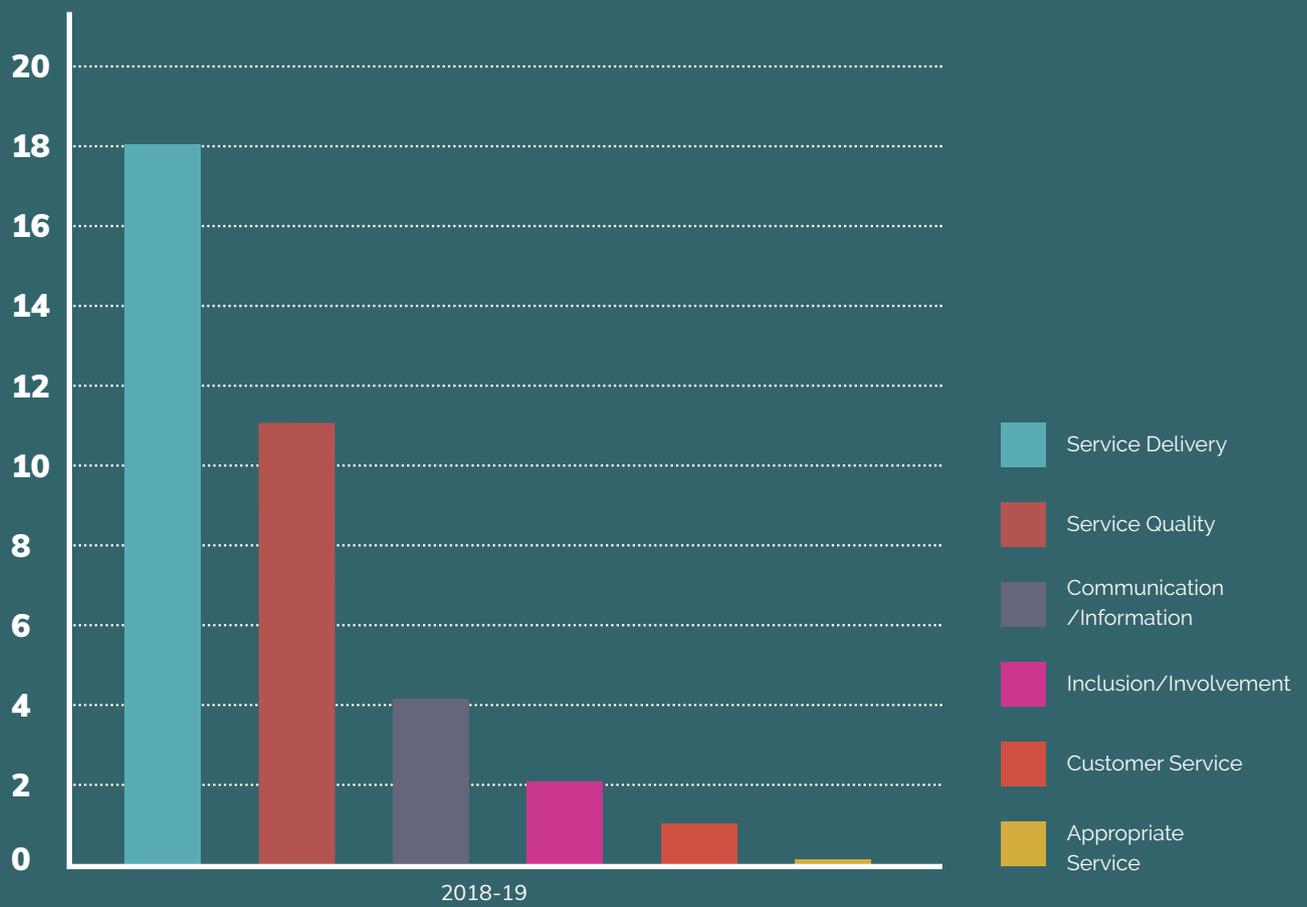
None of the complaints were upheld in part, compared to 50% in the previous year.

One complaint is still being investigated, as at September 2019

### Stage 3 Complaints

There have been no complaints received at stage 3 this year compared to 1 in the previous year.

## Complaints by Issue



Complaints about **Service Delivery** are about whether the appropriate support has been provided by the service. The complainant may also complain that there has been a failure to provide a service. Good service delivery provides service users with an increase in value, or a service. The category of service delivery received the highest number of complaints. This category also received the highest number in the previous year.

Examples of these complaints included:

- issues with how social workers deliver the service
- delays in service delivery

Complaints about **Service Quality** occur when there are issues in the quality of the service being delivered. This differs from family to family, but for example, it could include complaints about delays in assessments or standards that are below what is expected. This category received the second highest number of complaints this year. There were 8 fewer complaints than in the previous year.

Examples of these complaints included:

- complaints regarding the quality of a social worker's interventions

Complaints about **Communication and Information** relate to complainants' concerns that they do not think that they are fully aware of their social workers actions, their plans or are involved in the decision making regarding their family. There were 2 fewer complaints about communication and information than in the previous year.

Examples of these complaints included:

- communication issues between families and social workers

Complaints about **Inclusion and Involvement** are around complainants feeling they have not been appropriately involved or have been excluded from processes or communication in which they consider they should have been a part of. There was 1 less complaint about communication and information than in the previous year.

Examples of these complaints included:

- more timely communication needed
- social workers to take the views of everyone concerned

Complaints about **Customer Service** relate to the attitude and behaviour of members of staff. Complainants can raise concerns about the way that the actions of staff made them feel. There was 1 less complaint about customer service than in the previous year.

Examples of these complaints included:

- perceived attitude of a social worker

The complaint category **Appropriate Service** received no complaints this year, which is the same as the previous year.

# SECTION 7: LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN

2018-19

Year	LG&SCO Complaints	Outcome
2016-17	1	1 not found
2017-18	2	2 not found
2018-19	6	1 upheld

The final stage of the statutory procedure for Children's Services is investigated by the Local Government and Social Care Ombudsman (LG&SCO).

There have been 6 Local Government & Social Care Ombudsman complaints received for Children's Services, compared to 2 in the previous year.

- The upheld complaint related to a parent who felt that we did not provide support to their family at a difficult time. We undertook a review of the points raised by the LG&SCO



## SECTION 8: LEARNING FROM COMPLAINTS

The following developments have been undertaken as a direct result of receiving complaints:

- ensure that we adhere to data protection guidelines at all times
- improve communication between social workers and families
- focus on timeliness of completing assessments
- ensure that assessments, plans and minutes of meetings are sent to all parties concerned in a timely manner



## SECTION 9: REPORTING AND MONITORING

Information from complaints is shared in a number of ways:

- Meetings with senior managers. These meetings review complaints to consider specific issues in relation to individual complaints and identifying any themes and cross cutting issues. This is an opportunity to learn from complaints and improve service delivery
- Complaints information is included in regular service performance monitoring reports. Services report on complaints within their routine performance monitoring arrangements, thus informing the service about qualitative aspects of performance and ensuring the information is integral to service monitoring and service development
- An Annual Compliments and Complaints Report is presented to the Cabinet Member. Reporting at this level allows for consideration of the implications for wider strategic and policy development
- We will share this report with partner organisations



## SECTION 10: CONCLUSION

This report has given an overview of the statutory procedure for complaints about Children's Services for the year 2018-19. It has summarised the complaints received over the year and the actions taken to resolve them.

We will continue to develop and improve the complaints process in 2019-2020 by:

- Continuing to adopt Restorative Practice methods to help resolve complaints and issues at an early stage
- Improving the focus on responses to Stage 2 complaints so that timescales are met

**North Lincolnshire Council**  
**August 2019**

