

COMPLAINTS ANNUAL REPORT 2019-20 CHILDREN'S SOCIAL CARE

"Making Wirral great for children, young people and their families."

#BETHE
DIFFERENCE

INTRODUCTION

The Complaints Annual Report 2019-20 provides an overview of complaint activity since April 2019. The Report relates to complaints made in relation to Children's Social Care Services.

The Report is produced in accordance with government regulations 2006 and will be shared with relevant stakeholders to provide a clear understanding of complaint activity.

The Report provides an overview of:

- The number of complaints received including those received by the Local Government Ombudsman and Information Commissioner's Office
- complaints made by children and young people and the reason for complaint
- complaints made by adults/carers and reasons for complaint
- learning from complaints
- complaint reporting and key actions for 2020/21

In summary, there has been a small decrease in the number of complaints since last year. This is due to a smaller than usual number of complaints being registered during the end of February and throughout March 2020 as people focus on dealing with the COVID-19 pandemic. The increase in complaints in previous years has been attributable to the increased understanding and more robust processes in place which mean people now know where to go and have greater trust in complaint processes.

Children and young people are encouraged to complain if they feel it necessary and are signposted appropriately to information and support in making a complaint. The numbers of children and young people complaining has decreased, despite a number of initiatives to promote their right to complain, this will remain a key area of focus for next year.

Learning from complaints has been a key area of development of the previous two years. All stage 2 complaint recommendations are action planned and are influencing policy, procedure and decision making. Figure have begun to be collated in relation to the outcome of stage 1 complaints which will be available next year and there will be a greater focus on learning from stage 1 complaints and using it further to identify where training and development is required.

1. BACKGROUND

- 1.1 The Children Act 1989 Representations Procedure (England) Regulations 2006 and associated guidance “Getting the Best from Complaints” came into force on 1st September 2006 and underpins Children’s Services Complaints Procedure.
- 1.2 The Regulations stipulate that an Annual Report is produced and shared with staff and appropriate Local Authority Committees. The report should also be made available to the Regulator and the general public.
- 1.3 The Regulations provide a statutory framework for dealing with representations relating to statutory social services functions under Part 3 of the Children Act 1989; and certain functions under the Adoption Support Regulations 2005 and Special Guardianship Support Regulations 2005.
- 1.4 The Regulations stipulate who may make a complaint; this is generally the young person themselves or an adult with either parental responsibility or day to day care of the child. For any other person the Department has the discretion to decide whether they ‘qualify’ to make a complaint.
- 1.5 For representations regarding functions outside of the Regulations; or for a person who does not qualify to make a statutory complaint, complaints will be dealt with under the Corporate Complaints Policy and Procedure.

2. APPLYING THE REGULATIONS

- 2.1 The Customer Resolution and Information Team have ensured that only those complainants who ‘qualify’ under the Regulations and wishing to make a complaint regarding statutory services under Part 3 of the Children Act 1989 have been given access to the Children and Young People’s statutory Complaint Policy and Procedure.
- 2.2 During the reporting period 70 complainants wanting to register a statutory complaint have been given information and advice as to why they do not qualify and, where relevant, have been signposted to other procedures/processes. They were also provided with contact details for the Local Government Ombudsman if they wanted to challenge the decision not to progress the complaint. *[Compared to 38 in 18/19 and 21 in 17/18]*
- 2.3 During the reporting period 35 representations were made which did not meet the criteria of the complaint regulations; these were acknowledged, registered as comments or feedback and forwarded to appropriate managers. *[compared to 44 in 18/19 and 84 in 17/18]*

3. RESOLVED AT FIRST CONTACT

- 3.1 Three complainants had their complaint resolved at first contact by the Customer Resolution and Information Team without the need to formally register a complaint. These cases were generally about difficulties in contacting workers or receiving the outcome of a decision; and the Customer Resolution and Information Team were able to facilitate a response within the same day.

4. ALTERNATIVE RESOLUTION

- 4.1 One complainant who initially wanted to register a formal Stage 2 complaint agreed that the proactive involvement of the Customer Resolution and Information Team via alternative resolution would expedite a more timely resolution [compared to 1 in 18/19 and 4 in 17/18].

5. REGISTERED COMPLAINTS

- 5.1 Throughout the 12 month reporting period the following complaints were registered:

	2019/20	2018/19	2017/18	2016/17
Stage 1 Complaints - Local Resolution	230	244	267	184
Stage 2 complaints - Investigation	10*	5	4	4
Stage 3 complaint - Independent Review Panel	0	0	1	0

* The figure for 2019/20 includes stage 2 corporate complaint investigations as well as statutory complaint investigations.

- 5.2 The Local Government Ombudsman undertook enquiries into 16 complaints [compared to 12 in 18/19 and 14 in 17/18]. Three are ongoing, of the 13 that have concluded the outcome was as follows:

- 1 enquiry completed – not progressing (premature)
- 1 enquiry completed – not progressing (outside of jurisdiction)
- 7 investigations completed – no fault found.
- 4 investigation completed – fault found

A number of Ombudsman investigations were undertaken in response to the Council's change of practice regarding deductions from special guardianship allowances. No fault was found with the Council's policy although in 3 cases were asked to undertake further financial assessment and consideration of additional discretionary payments. All agreed remedies have been completed to the satisfaction of the Ombudsman.

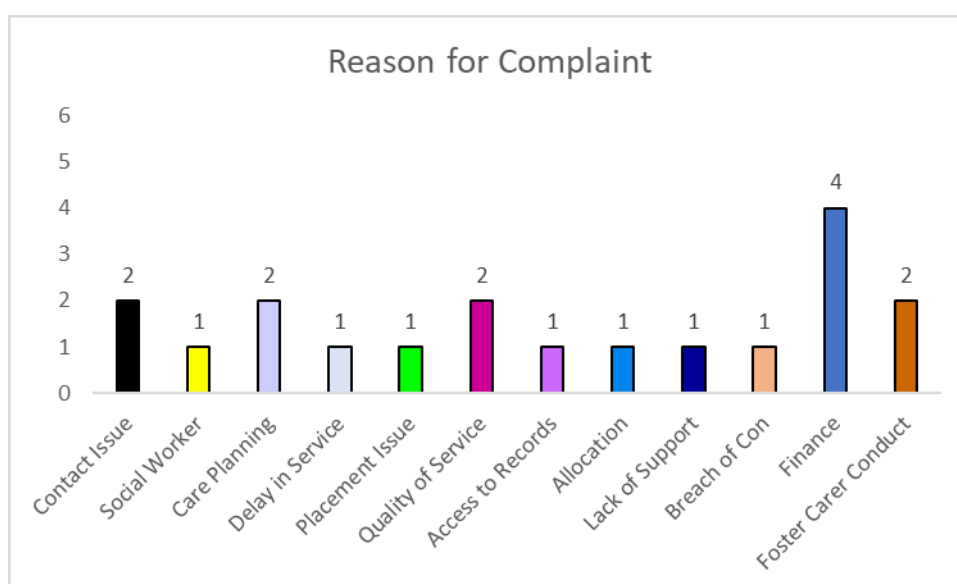
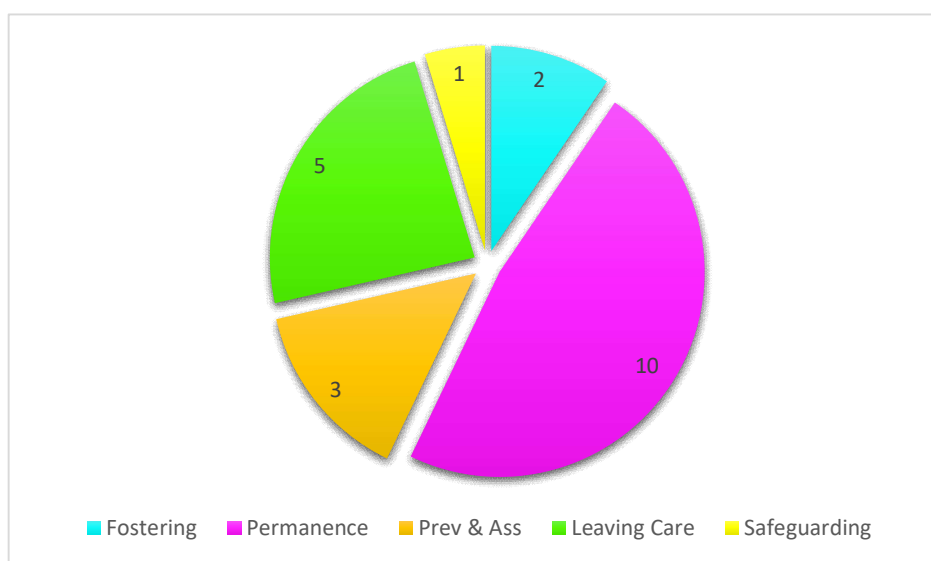
5.3 The Information Commissioner’s Office undertook enquiries into 2 complaints [compared to 2 in 18/19 and 3 in 17/18]. The outcome of both enquiries was that the department had complied with the Data Protection Act/GDPR.

6. STAGE 1 COMPLAINTS

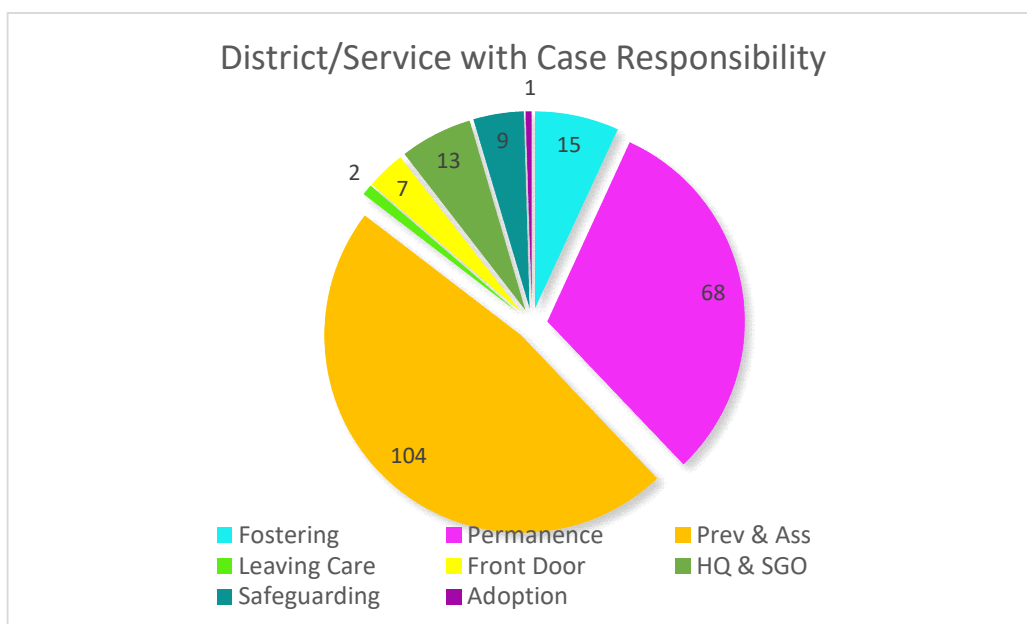
6.1 Of the 230 complaints registered at Stage 1 of the complaints procedure 21 were made by a child/young person (*compared to 31 in 8/19 and 31 in 17/18*); and 209 by an adult parent/carer.

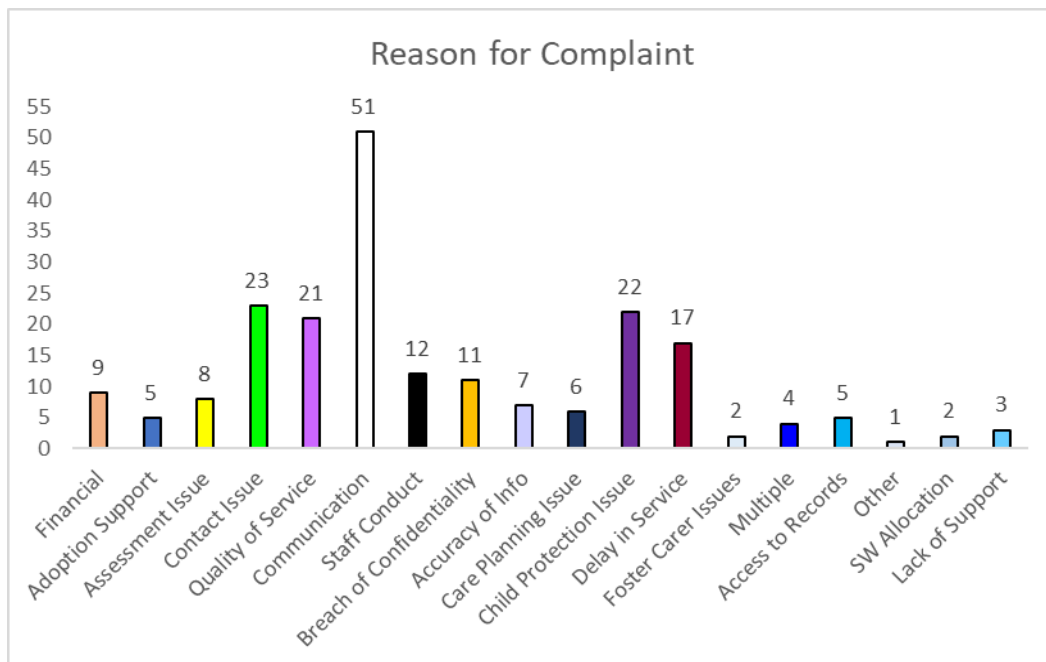
A breakdown of the stage 1 complaints is below:

6.2 Stage One complaints made by a child or young person:



- 6.3 Stage 1 complaints made by the child/young person are handled by the Children’s Complaints Officer with a focus on achieving resolution by working with the child/young person and the relevant manager.
- 6.4 Independent Advocacy Services are available to all children/young people who make a complaint via the Department’s contracts with Barnardo’s.
- 6.5 100% of complaints made by children/young people were resolved with the statutory timescale. *(compared to 90.3% in 18/19 and 97% in 17/18).*
- 6.6 The number of complaints made by children/young people has decreased this reporting year despite a number of measures having been put into place to ensure all children and young people who are looked after are aware of how to make a complaint, including presence on the Right Side of Care website, inclusion in Right Side of Care information pack, Children’s Complaint Officer attending Children in Care and Care Leaver Councils.
- 6.7 **Stage One complaints made by an adult parent/carer:**





6.8 Stage 1 complaints registered by an adult are dealt with by an appropriate manager that holds case responsibility.

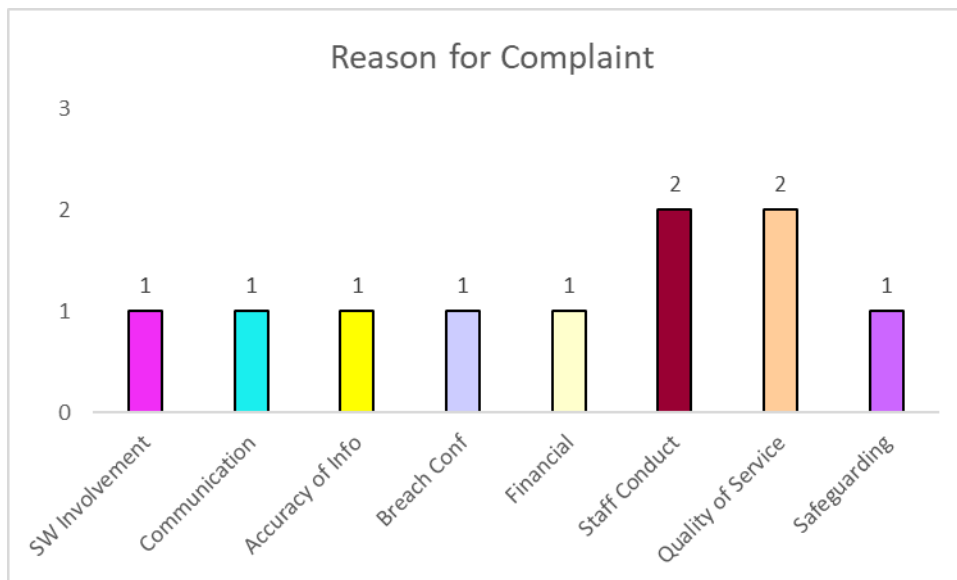
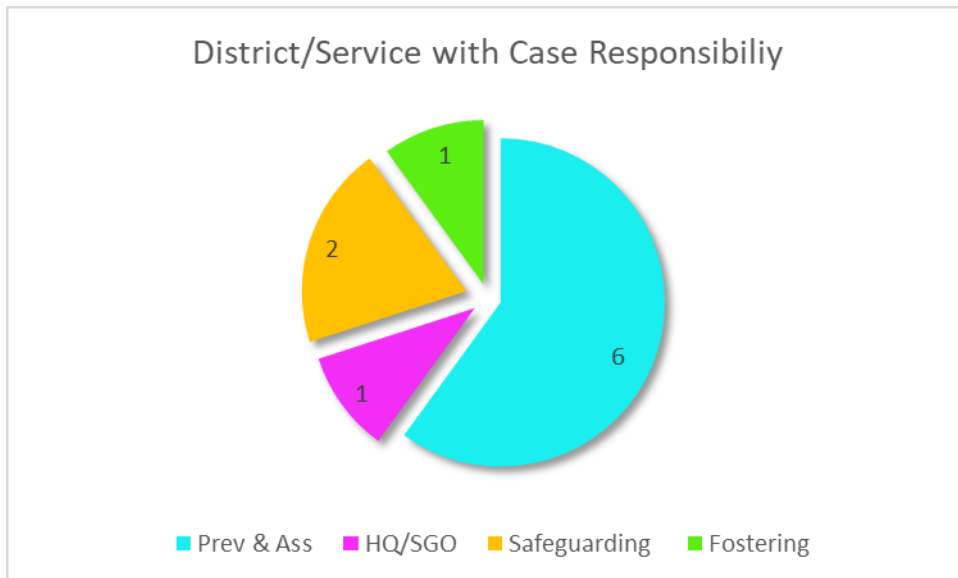
6.9 84% of stage 1 complaints were responded to within timescale. (compared to 94.3% in 18/19 and 97%). NB COVID-19 impacted on the response timescales in relation to complaints registered at the end of February and into March – without those complaints response time was running at 92%.

7. STAGE 2 COMPLAINTS

Stage 2 complaint investigations comprise of those investigated under the statutory complaint procedure (for functions under Part III of the Children Act); and the Council’s corporate complaint procedure for other matters.

10 Stage 2 complaints were registered by adults with parental responsibility or day to day care of a child/young person receiving a service (2 under the statutory complaint procedure and 8 under the corporate complaint procedure).

A breakdown of the complaints registered is on the next page:-



- 7.1 100 % of statutory Stage 2 complaint investigations were completed within the expected timescale of 65 working days. [compared to 60% in 18/19 and 25% in 17/18].
- 7.2 62.5% of corporate stage 2 complaints were responded to within the expected timescale of 15 working days.
- 7.3 All recommendations from Stage 2 investigations are action planned and reviewed by members of the Departmental Management Team to ensure the Department learns from complaints and to effect service improvement.

8. STAGE 3 COMPLAINTS (INDEPENDENT REVIEW PANEL)

8.1 No Independent Review Panel took place [compared to 0 in 18/19 and 1 in 17/18].

8.2 No requests for Independent Review Panel were received.

9. LOOKING FORWARD 2020/2021

- Continue to work with the Children in Care Council, Advocacy Forum and Children's Involvement Services to ensure all children and young people know about their right to make a complaint and who can support them to do so.
- Provide consistent, good quality responses to all stage 1 complaints.
- Expand the number of independent persons available to undertake stage 2 complaint investigations.
- Use new technology software to capture details of corporate stage 2 complaints and include them in future reports.

10. CONCLUSION

The Complaints Annual Report 2019-20 provides an overview of complaint activity for Children's Social Care.

Overall, there has been no significant increases in the number of complaints received compared to last year.

Most complaints are made by adults/carers and primarily relate to communication or child protection issues. Complaints made by children and young people primarily related to contact issue or quality of service received.

Work has been undertaken, and will continue, to encourage children and young people to understand what they need to do to make a complaint. This includes working with advocacy services, ensuring social workers have a good understanding about signposting to complaints and making information and advice about complaints accessible and easy to use.

Work will continue in the new year to improve quality of responses to stage 1 complaints and to embed further learning from complaints.