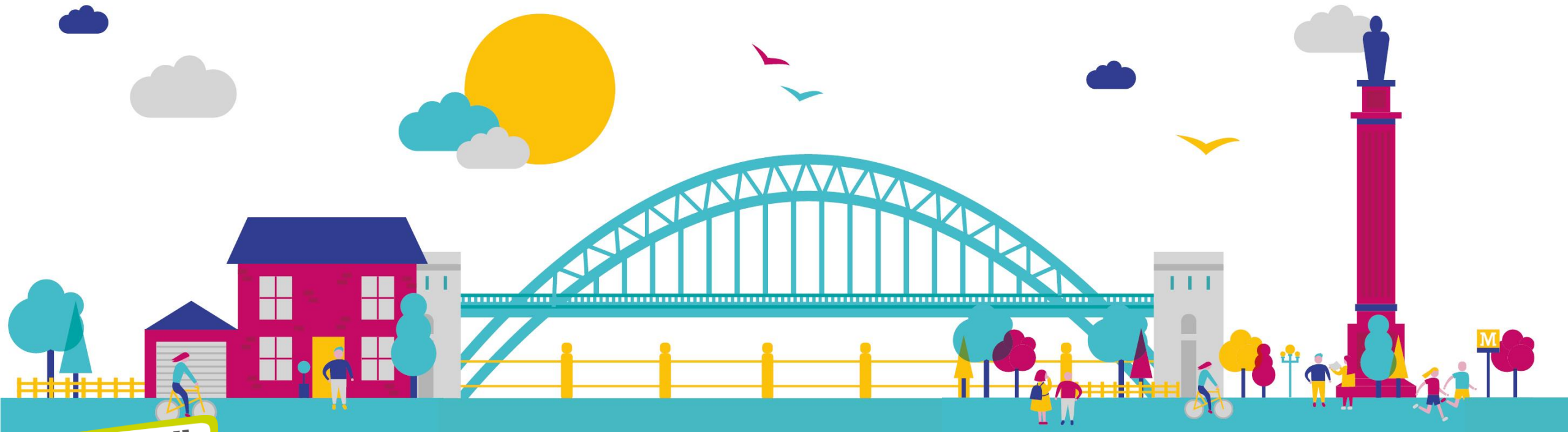


Children's Social Care Annual Complaints Report

2022 - 2023



let's talk
Newcastle

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1. Purpose and Introduction

This is the Complaints Manager's annual report for Children's Social Care. It is a statutory requirement to prepare an annual report for each year about the complaint's activity within Children's Social Care. The aim on the report is to provide information about:

- Advocacy services provided under these arrangements
- Representations made to the Local Authority
- The number of complaints at each stage
- Which customer groups made the complaints
- Statistical data about complainants
- The types of complaints made
- The outcome of the complaints
- Compliance with timescales, and complaints resolved within extended timescale as agreed
- Complaints that were considered by the Local Government and Social Care Ombudsman (LGSCO)
- A review of the effectiveness of the complaint's procedure
- Learning and service improvement, including changes to services that have been implemented and details of any that have not been implemented

We aim to learn from mistakes so that we can improve customer experience and outcomes. We encourage people who have cause to complain, to make comments and suggestions to help us make these improvements. We aim to be transparent about the complaints we've received, how we've responded to them and what we've done as a result. We learn from the Authority's complaint procedure, continually evaluating and improving this and publicise and explain our complaints procedure,

Complaints Defined

A complaint may generally be defined as an expression of dissatisfaction or disquiet about the actions, decisions or apparent failings of a local authority's children's social care provision which requires a response.

A complaint should be made within 12 months of:

- The date on which the matter which is the subject of the complaint occurred; or
- If later, the date on which the matter which is the subject of the complaint came to the notice of the complainant.

This time limit will not apply if we are satisfied that:

- The complainant had good reasons for not making the complaint within that time limit; and
- Notwithstanding the delay, it is possible to investigate the complaint effectively and fairly.

A complaint may be made by any child or young person, parent, relative, carer or someone acting on behalf of the child e.g., Special Guardian.

Where a complaint is received from a representative acting on behalf of a child or young person, the local authority should normally confirm where possible that the child or young person is happy for this to happen, and that the complaint submitted reflects his views

Complaints can be made in person, by telephone, in writing, or by e mail to the Complaints Team.

Legislation

The Children Act 1989 Representations Procedure (England) Regulations 2006 is for all representations received from children and young people, their parents, foster carers or other qualifying adults about social care services provided or commissioned by Children's Social Care. The act and regulations set down procedures that councils with social care responsibility have to follow when a complaint is made. This is a three-stage process:

Stage 1: local resolution

Stage 2: independent investigation

Stage 3: review panel

The section 5 of the Regulations (2009) requires local authorities to consider complaints made by someone who:

Is receiving or has received services from the authority;

Is affected, or likely to be affected by the action, omission or decision of the authority.

A person is eligible to make a complaint where the local authority has a power or duty to provide, or to secure the provision of, a service for someone.

The 2009 regulations set a benchmark for all complaints to be investigated within set timescales. If a complaint is going to exceed this timescale the council should write to the complainant to advise them of this and explain the reasons why.

The corporate complaints process is used for anyone else who makes a complaint

The Statutory Complaints Procedure in Newcastle

We will always try to resolve problems or concerns before they escalate into complaints. If it is possible to resolve the matter immediately (or within 24 hours) there may be no need to engage in the formal complaints process. When a complaint is first received, the Complaints Manager will review the details provided and assess whether an investigation is required under the Statutory Complaints Procedure.

When someone contacts us to make a complaint, we aim to acknowledge their complaint within 3 working days. We also:

- Make sure that we understand their concerns
- Find out what the person wants to happen as a result of their complaint
- Agree a plan with the complainant about who will look into the complaint, and by when
- Keep in regular contact with the complainant
- Act quickly to resolve matters if we can

We aim to sort out most complaints within 20 working days. However sometimes because of the nature and complexity of some issues it may take longer, and complainants will be informed if this is the case.

When the investigation of a complaint is complete, the investigating manager will write a letter explaining what they have found and what they will do to put things right. Sometimes, our findings do not fully support the complainant's view of their complaints. However, we always try to give clear reasons for our decisions, explain any misunderstandings and agree a way forward.

At the end of the complaints statutory process If the complainant is not happy with our final decision or how we have dealt with their complaint, they can refer the matter to the Local Government and Social Care Ombudsman (LGSCO).

Advocacy Arrangements

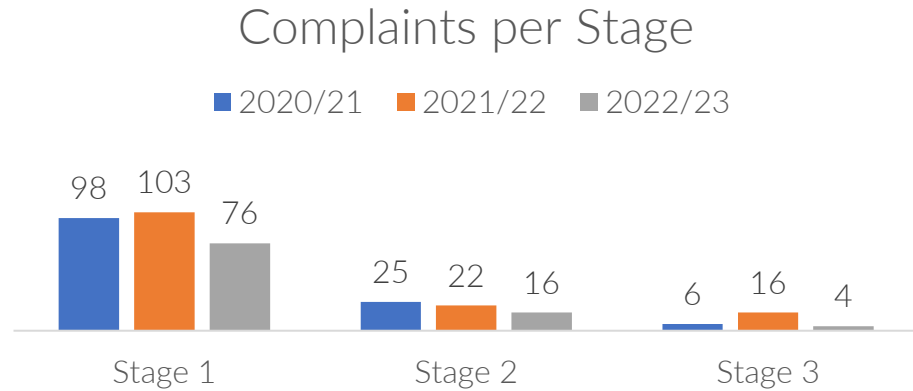
Children and young people making a complaint have a legal entitlement to advocacy services to support them in making a complaint or expressing their views. Newcastle has a contract in place with the National Youth Advocacy Service (NYAS) to provide children and young people with this service.

The aim of the service is to ensure children and young people have access to an independent advocacy service, which ensures:

- They have a say in decisions made about their lives
- They are able to share their concerns about their circumstances
- They are listened to and heard
- They are treated fairly in the course of their contact with Children's Social Care
- They are supported when pursuing a complaint through every stage of the complaints process

2. Newcastle 2022/3 Complaint Activity

Total Complaints Received by Stage



Total Complaints by Stage

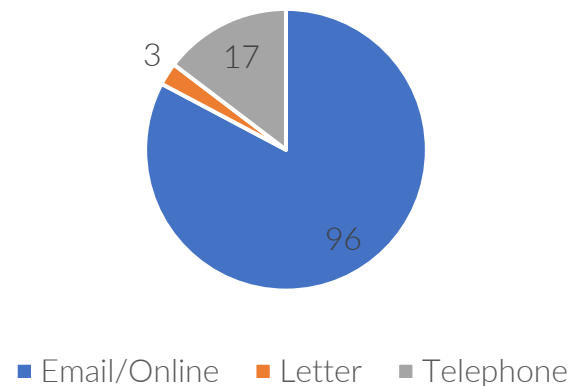
A total of 76 complaints received at Stage 1. 33 were closed during this year. The remaining cases were still open at the time of reporting.

Total complaints received at Stage 2 was 16 and 3 of these are closed during that year.

There were a total of 4 complaints during this year which were requested at Stage 3.

How Complaints are Received

Method of Complaint



How Complaints are Received

Overall Complaints:

Email: 96

Online: 2

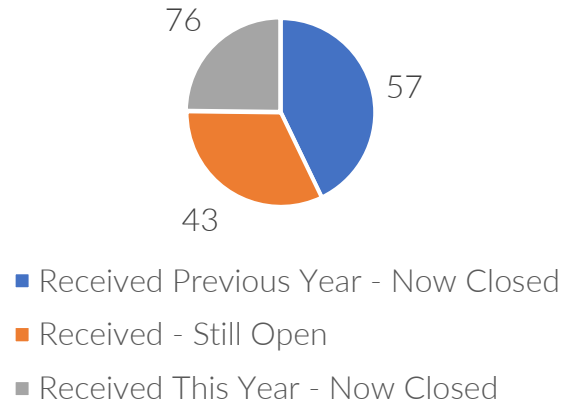
Telephone: 17

Letter: 3

High proportion of emails are forwarded from the Corporate Team who have received them via online form.

Total Complaints Received

Stage 1 - Complaint Status



Complaint Status

57 complaints were received from the previous year which are now closed.

Of the 76 complaints received this year, 43 were still open at the end of the reporting year.

Complainant	Stage 1	Stage 2	Stage 3	Total
Relative	61	11	3	75
Foster Carer	5	2		7
Advocate	5	1	1	7
Third Party	1			1
Carer	1	2		3
Child/Young Person	3			3
Total	76	16	4	

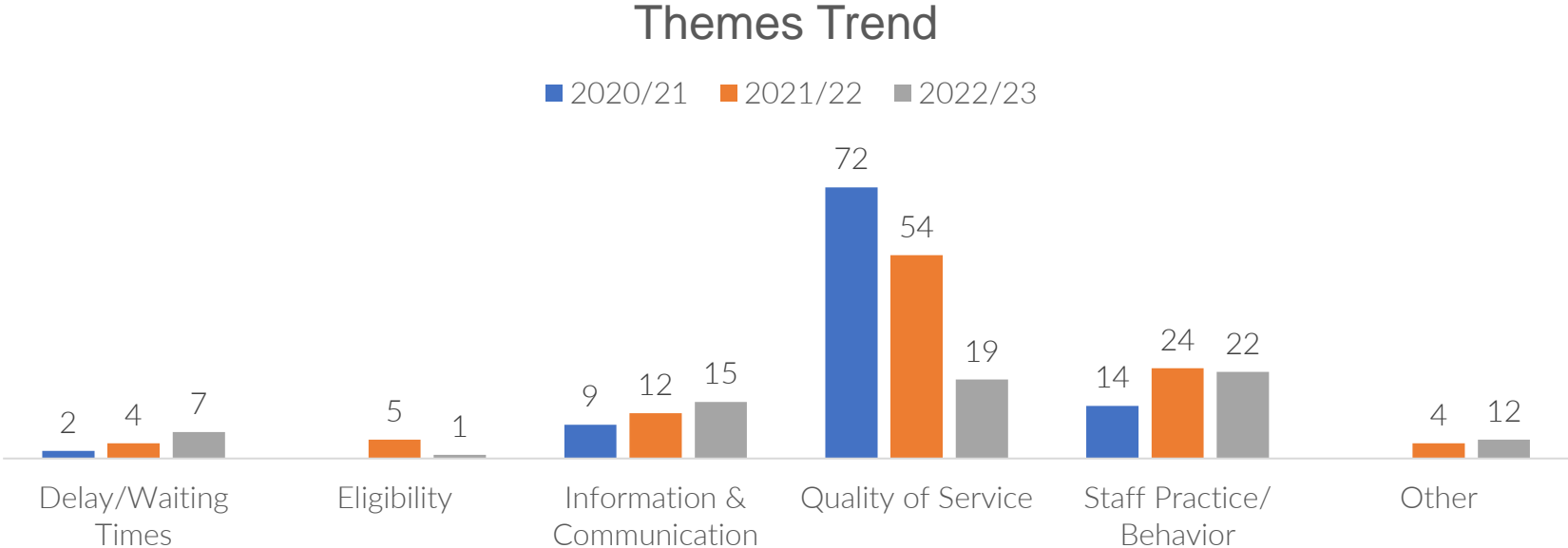
Customer Groups

The biggest proportion of complaints received have come in from relatives.

4% of complaints have been received directly from the child/young person.

2.1 Stage 1

Stage 1 – Types of Complaint



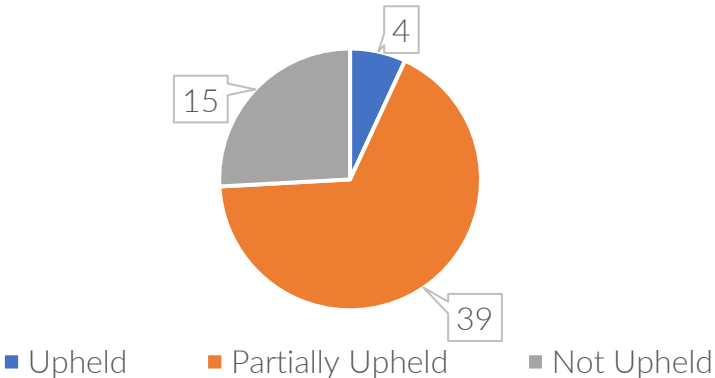
Complaint Types

Complaints are categorised as:

- Quality of service.
- Staff practice and behaviour
- Information and communication
- Delays and Waiting Times
- Eligibility
- Financial

A complaint may include a number of elements and fall into more than one category. For data purposes these are recorded under quality of service.

Stage 1 – Outcomes



Outcomes

From the total 76 complaints that were closed at the time of reporting, over half of these had findings of Partially Upheld which is an increase from the previous year for this outcome.

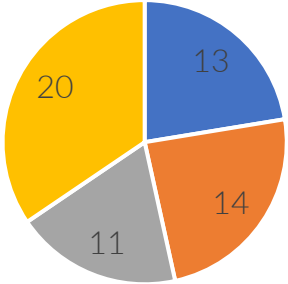
Based on previous years, the number of complaints were increasing in these key areas:

- **Information and communication.** Includes minor issues such as not receiving response to call or email or not sending minutes out on time.
- **Delay and Waiting Times** – range of reasons including placements, assessments, referrals and meetings.

Timescales and Performance

Timescales

Timescales Stage 1	Under 20 Days	20-30 Days	30-40 Days	Over 40 Days	Total
2022/3	13	14	11	20	58



- Within 20 Day
- 20-30 Days
- 30-40 Days
- Over 40 Days

Timescales
 Complaints should be responded to within 10 working days extended to a maximum of 20 working days.

Of the received 58 dealt with as Stage 1 complaints with an outcome in this reporting period, 22% were completed within timescale.

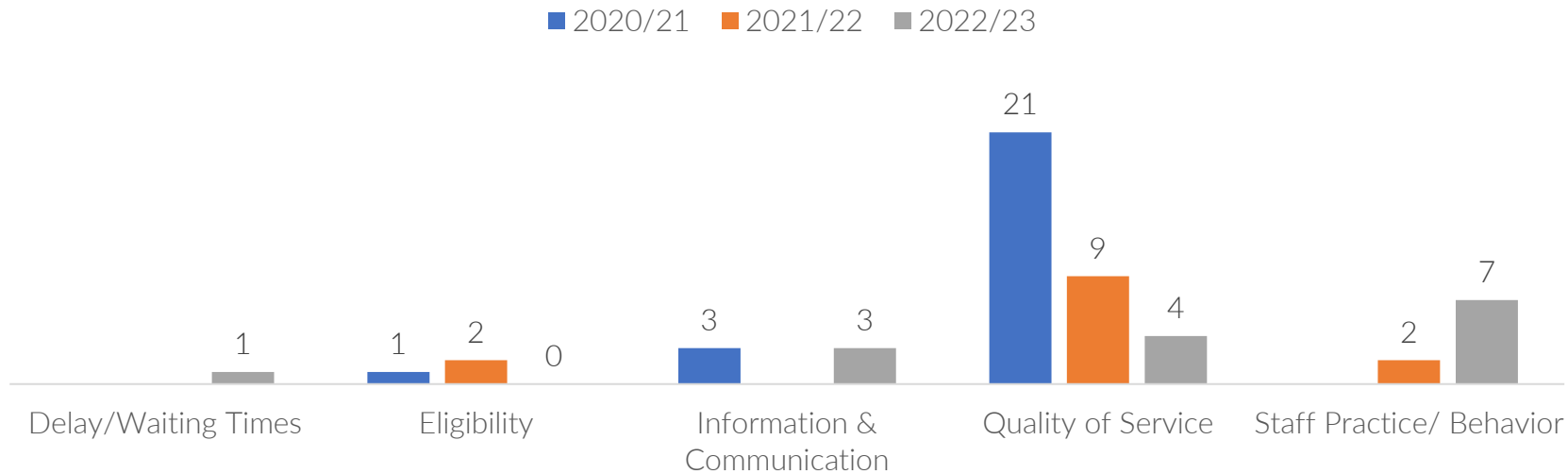
The average timescale was 38 working days.

The remaining 18 complaints were either refused or withdrawn or escalated to stage 2.

2.2 Stage 2

Stage 2 – Types of Complaint

Themes Trend



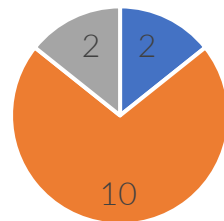
Complaint Themes

Stage 2 will not normally reinvestigate points that have previously been upheld at Stage 1.

Stage 2 can consider any new points raised or linked to the original complaint

From the total of 14 Stage 2 Investigations completed the main two issues identified were staff practice and behaviour and quality of service.

Stage 2 – Outcomes



Outcomes

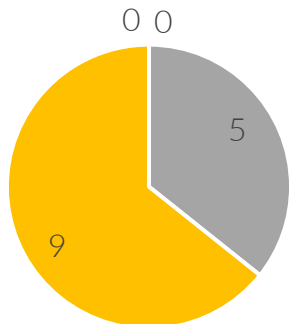
- Children in Care and care Leavers (2)
- Children with Disabilities (2)
- Fostering (1)
- IRS (5)
- Long Term (5)
- Fostering & Long Term (1)

5 stage 2 complaint resulted in offer of financial remedy

Timescales and Performance

Timescales Stage 2	Under 25 Days	25-44 Days	45-64 Days	Over 65 Days	Total
2022/3	0	0	5	9	14

Timescales



- Within 25 Day
- 25-45 Days
- 45-65 Days
- Over 65 Days

Timescales
 Complaints should be responded to within 25 working days extended to a maximum of 65 working days.

Of the 14 Stage 2 complaints that were investigated with an outcome in this reporting period, 35% were completed within timescale of under 65 working days. This includes cases raised in previous years

The average timescale was 69 working days which is slightly over the target of 65 working days.

2.3 Stage 3

Stage 3 – Types of Complaint

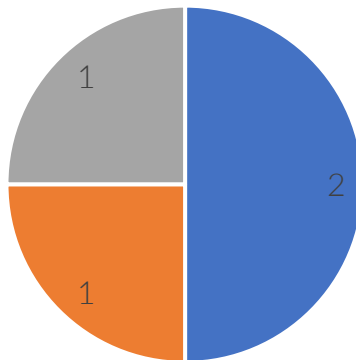
Where a complainant does not agree with the findings and recommendations of the stage 2 investigation into their complaint, they can ask for the review panel to consider the complaint at Stage 3 of the Statutory Process, within 20 days.

This must include:

- Which parts of the report they do not agree with
- Whether they think there are any factual errors
- Why they think the response by the Assistant Director of Children’s Social Care is unsatisfactory.

Main reason for requesting a Stage 3: Dissatisfied with the standard of the stage 2 investigation.

The panel cannot reinvestigate the complaints. The panel will scrutinise the earlier findings and make recommendations based on the evidence provided to them.



■ Partially Upheld ■ Not Upheld ■ Withdrawn

Outcomes

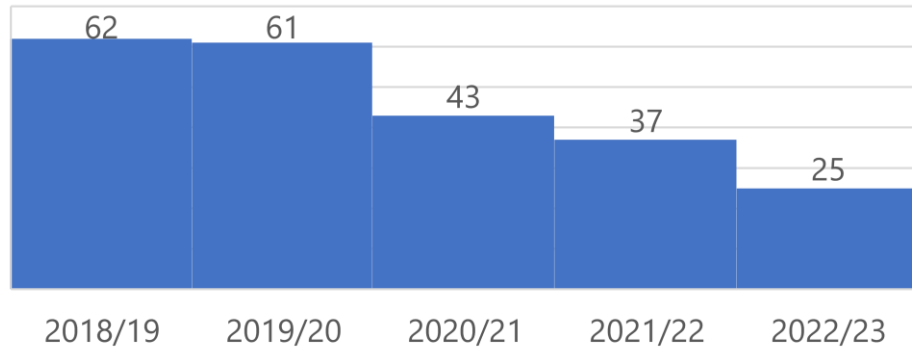
A total of 4 complaints were escalated to stage 3 and 3 of these went to panel, 1 was withdrawn.

Of the 3 Stage 3 hearings, the outcomes of the panels made a total of 17 recommendations which ranged from making remedy payments to offering apologies.

2.4 Children in Care (CiC) and Care Leaver Complaints

Complaints on behalf of looked after children

Total CiC Complaints



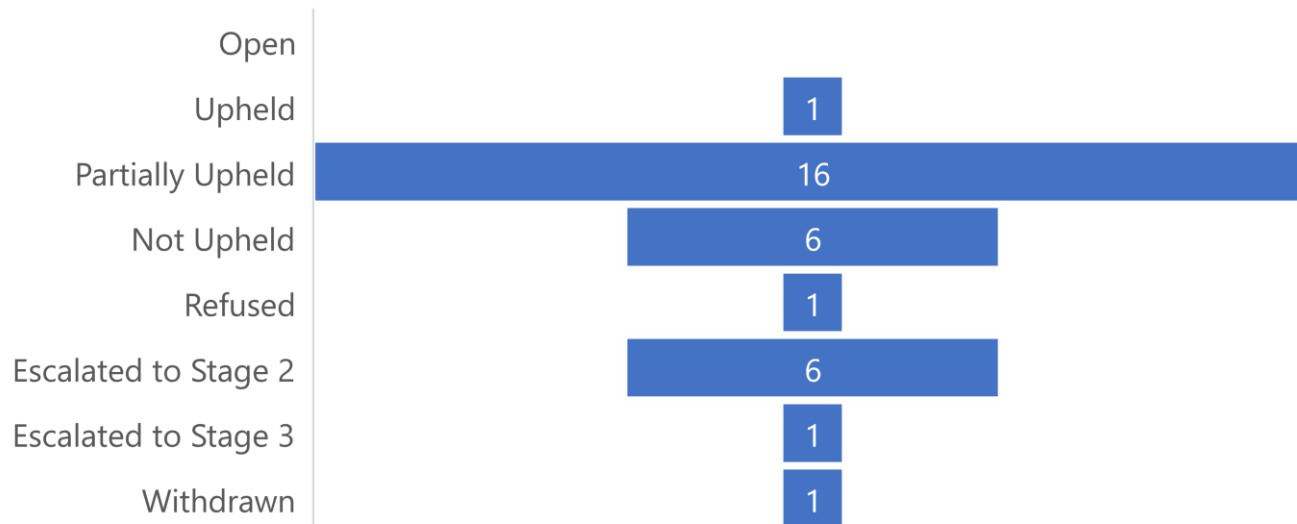
Total Received

25 complaints were made by or on behalf of looked after children in care and/or care leavers. This compares to 43 in 2020/21, 61 in 2019/20 and 62 in 2018/19.

Of those 26 complaints, most were resolved at stage 1; 6 escalated to stage 2 and 1 escalated to a stage 3. The majority of complaints were made by relatives which is reflected in the low number of complaints from advocates.

Outcomes

CiC Outcomes



CiC Outcomes

The most prevalent category that complaints fell into was "Quality of Service"(10 complaints); this is used to describe complaints with multiple issues.

The majority of the complaint outcomes were partially upheld which is a similar trend to last year.

3. Ombudsman

The Authority's complaint procedure is supported by the Local Government and Social Care Ombudsman (LGSCO)

The LGSCO can review and / or investigate complaints from members of the public who consider they have experienced injustice because of maladministration by the Authority, typically once the complaint has exhausted the Authority's complaint procedure.

The Ombudsman provides a free service; but must use public money carefully. They may decide not to start or continue with an investigation if they believe:

It is unlikely they would find fault, or

It is unlikely they could add to the previous investigation by the Council, or

They cannot achieve the outcome someone wants

Ombudsman 2022/3

The LGSCO received a total of 5 complaints. They went on to investigate 2 of the 5 Authority's complaints during this period, of these, 2 detailed investigations were carried out and these were upheld. The decision was made not to investigate 3 of the complaints.

Of the 3 investigations not investigated by the LGSCO:

One was over 12 months. The second was a premature referral. Third one was due to LGSCO not being able to achieve the desired outcomes.

Of the 2 detailed investigations by the LGSCO:

The first complaint concluded that LGSCO found fault on the part of the Council in the delays suffered through the complaints process at stages 1 and 2.

The second complaint concluded that LGSCO found some fault in how the Council dealt with the complaint – although there was no fault in most of its actions.

4 Summary of findings & Key Learnings 2022/3

Complaints provide invaluable information which may be used to identify issues in services, help staff learning and also identify any risks and so improve services for the future.

Improvement actions/recommendations arising from complaints fall into three main categories:

- Remedial action for individual complaints
- Improving social work practice and delivering training
- Establishing or changing existing processes, policies or procedures

Our key learnings were:

Foster Care Review – Responding to Complaints, Concerns and Allegations’ policy and practice guidance is being produced by the Fostering Service in response to LGSCO recommendations

We need to review complaints training for Children, Education & Skills colleagues, including recruitment of a wider pool of diverse investigating officers.

Summary of key findings

Number of stage 1 complaints received is 27% lower than previous year

Main issues of complaint were information and communication (29%) and staff practice (35%).

Timescales – works need to be done to reduce stage 1 timescales as currently the average is 39 days. Stage 2 investigations currently average 69 days which is slightly above the statutory 65 days, However limited number of Independent Officer and Independent Person on the NEPO framework could potentially impact negatively on investigation timescales going forward and work needs to be done with Commissioning to look at this. This will ensure there is plenty of availability from a large network of diverse panel members.

4.1 Reflections and Priorities 2023/4

Reflections and Priorities 2023/4

Priorities for the year ahead reflect the learning from this report and focus primarily on strengthening the processes, practices and recording systems, which support the Authority in making the most from both statutory and corporate complaint feedback

Use learning from complaints for future CSC Learning from Compliments and Complaints Briefings

Use learning from complaints to update Investigating Complaints Guide for Managers. For example - Changes have been made to the complaints guide to ensure attempts are made to contact colleagues that have left their role in the Local Authority, for investigations at Stage 1.

Try to resolve more complaints informally. Resulting in quick resolution for users of the service, reduction in complaints and staff time spent on stage 1 investigations and reduction in cost of stage 2 and 3.

Learning from complaint outcomes are used to inform Assessed and Supported Year in Employment (ASYE) Workshops, eLearning modules and Practice Updates to ensure the widest audience of staff benefit from practice reminders and development opportunities. As well as this, learning from complaints briefings are compiled by the Principal Social Worker on a regular basis which keenly reflect themes that develop in the complaints received and offer guidance, advice and support to practitioners in addressing these.