

## Children's Feedback and Complaints Annual Report 2022/23

To: Children and Young People Committee

Meeting Date: 27<sup>th</sup> June 2023

From: Executive Director: Children, Education and Families

Electoral division(s): All

Key decision: No

Forward Plan ref: n/a

Outcome: To provide committee members with a summary of all feedback received in relation to Children's Services, including compliments, enquiries, MP and councillor enquiries and complaints.

Recommendation: The Committee is recommended to:

a) To consider the content of the report and appendix.

b) Request a further report in 12 months.

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## 1. Background

- 1.1 In accordance with The Children Act 1989 Representations Procedure (England) Regulations 2006, every Local Authority must:
- Appoint one of their Officers as a designated Complaints Manager to assist the Authority in the co-ordination of all aspects of their consideration of representations;
  - Take all reasonable steps to see that everyone involved in the handling and consideration of representations is familiar with the procedure set out in these Regulations (elected members play a primary role in ensuring local accountability); and
  - Deal expeditiously in the handling and consideration of representations under these Regulations.
- 1.2 Every Local Authority must monitor the arrangements that they have made with a view to ensuring that they comply with these Regulations insofar as they regulate the procedure for the consideration of representations under Section 26 of the Act and must as soon as possible after the end of each financial year compile a report on the operation in that year of the procedure set out in these Regulations.
- 1.3 Please find attached Cambridgeshire's Children's Complaints and Feedback Team Annual Report for 2022/23 in Appendix 1.

## 2. Main Issues

- 2.1 The Annual Report details statistical data on the number of compliments, public enquiries, Member of Parliament (MP) and Councillor (Cllr) enquiries and complaints received and responded to within 2022/23, as well as themes, learning and actions from these.

### **Context**

- 2.2 There were a total of 4516 children whom a safeguarding referral was received about within the year. This figure was taken from the Child in Need (CIN) Census (our annual return to the DfE). As such, the number of new Stage 1 complaints received relating to Children's Social Care has increased to 5.27% of this total, from the previous year's 4.306% which was an increase on the 3% rate over the 5 years preceding that.
- 2.3 Whilst there has been a significant reduction in Children's Social Care complaints being investigated through the Statutory Complaint Procedure since 2020, due to a change in guidance (2020), these complaints have still been investigated through the Corporate Complaint Procedure. (Statutory Complaints are investigated in accordance with The Children Act 1989 Representations Procedure (England) Regulations 2006 whereas Corporate Complaints follow the Council's own 3 Stage Complaint Procedure).
- 2.4 Despite fewer Children's Social Care complaints being investigated through the Statutory Complaint Procedure, the overall number of Stage 1 complaints received (Corporate and Statutory combined) remains stable, largely due to the increase in complaints received about Special Educational Needs & Disabilities (SEND) Services and in particular the

Statutory Assessment Team (SAT). This has also led to a significant increase in escalation requests to Corporate Stage 2 (52%) and Corporate Stage 3 (143%). This increase in demand has placed pressure upon the Children's Complaints and Feedback Team (CCFT), the SAT and SEND Services to fulfil such investigations as they can be complex and protracted in nature.

- 2.5 As mentioned earlier, the service area that received the most complaints this year was SEND Services (including the SAT) with 190 complaints, followed by the Integrated Front Door (IFD) and Assessment Teams with 85 complaints received.
- 2.6 The largest areas of concern raised relates to Plans (34%), Communication (23%) and Assessments (12%). The main concern regarding Plans, whether it be Child in Need (CiN) Plans, Child Protection (CP) Plans, Child in Care (CiC) Plans or Education Health and Care Plans (EHCP) is that the worker has not taken into consideration the complainant's concerns which, in turn, has resulted in perceived inadequacies. Complainants often report that their child's needs have not been adequately reflected in the Assessment or Report, which results in Plans being made which do not fully support their child's needs. Other related areas of concern are the turnover of workers leading to inconsistency and a lack of progress with a Plan. With respect to the second most common theme (Communication), complainants report not being able to contact their worker or not receiving calls back to discuss their concerns.
- 2.7 Out of the 132 complaints received specifically about the SAT, the most common issues being complained about largely relate to either the Education Health and Care Needs Assessment (EHCNA) process or concerns relating to EHCNs which include; delays of the issuance of plans (frustrating the parent's right to appeal), EHCNAs failing to include necessary information from relevant agencies, concerns relating to the availability of special school places, provision as stated in the EHCP not being delivered, and poor communication from the SAT.
- 2.8 Out of the 456 (Stages 1-3 Statutory/Corporate combined) complaints received this year, 42 were made by young people (9%), of which 37 were assisted by an Advocate. The majority of young people complaints relate to Corporate Parenting (35), whether that be CiC or Care Leaving Teams.
- 2.9 Common complaint themes raised by care leavers or children and young people in care relate to poor communication with their allocated worker, late allocation of a Personal Adviser (PA), lack of appropriate support and delays in transition planning.
- 2.10 There has been lots of rich learning arising from complaints concluded this year which has in turn led to several notable service improvements;
  - Guidance on the implementation of EHCP Annual Reviews to be co-produced with parent / carer representatives, the Local Authority, schools, and other educational settings.
  - Training in relation to best practice for conducting Annual Reviews to be prepared and is expected to be rolled out to schools.
  - A new financial policy has been prepared which includes clearly outlined procedures, with timescales for submitting, reviewing and appealing applications for post-

adoption allowances.

- Details about the Local Offer are moving to a new microsite, a new leaflet and fact sheet is also being developed explaining the EHCNA process.
- The Educational Psychology Service to develop guidance on 'What to expect from an Educational Psychology Assessment' to be shared with parents who have requested an EHCNA.
- Guidance leaflets to be provided for families which outlines the role and responsibility of the Local Authority;
  - (i) when children are placed/transferred/relocated out of borough, and
  - (ii) when children are placed with connected carers.
- The SAT to review information provided to schools and parents concerning the implementation of EHCP Annual Reviews. This should be shared with parents and schools at the commencement of an EHCP and again at Annual Review meetings outlining the statutory due dates.
- SEND Service to implement a Communication Protocol to ensure information, including updates on progress, will be provided to parent/carers and young people.
- A leaflet will be co-produced with parents and sent to all parents/carers whose children are undergoing an EHCNA. This will make it clear what to expect from different professionals including Health.
- The SAT will ensure there is clear and accessible information on the Local Authority website about parental requests for a change of school placement. This will include the range of SEND provision available from mainstream schools, educational settings, and special schools. It will also include a summary of their offer, the entry criteria, application procedure and timescales.
- The Local Authority will work with young people and parent / carers to develop and publish information on a graduated pathway for children with Social Emotional and Mental Health (SEMH) needs. This will include Attention Deficit Hyperactivity Disorder (ADHD), Tourette's, and Anxiety.

### 3. Alignment with ambitions

- 3.1 Net zero carbon emissions for Cambridgeshire by 2045, and our communities and natural environment are supported to adapt and thrive as the climate changes.

There are no significant implications for this ambition.

- 3.2 Travel across the county is safer and more environmentally sustainable.

There are no significant implications for this ambition.

- 3.3 Health inequalities are reduced.

There are no significant implications for this ambition.

- 3.4 People enjoy healthy, safe, and independent lives through timely support that is most suited to their needs.

There are no significant implications for this ambition.

- 3.5 Helping people out of poverty and income inequality.

There are no significant implications for this ambition.

- 3.6 Places and communities prosper because they have a resilient and inclusive economy, access to good quality public services and social justice is prioritised.

There are no significant implications for this ambition.

- 3.7 Children and young people have opportunities to thrive.

There are no significant implications for this ambition.

## 4. Significant Implications

- 4.1 Resource Implications.

There are no significant implications within this category.

- 4.2 Procurement/Contractual/Council Contract Procedure Rules Implications.

There are no significant implications within this category.

- 4.3 Statutory, Legal and Risk Implications.

There are no significant implications within this category.

- 4.4 Equality and Diversity Implications.

There are no significant implications within this category.

- 4.5 Engagement and Communications Implications.

There are no significant implications within this category.

- 4.6 Localism and Local Member Involvement.

There are no significant implications within this category.

- 4.7 Public Health Implications.

There are no significant implications within this category.

4.8 Climate Change and Environment Implications on Priority Areas.

There are no significant implications within this category.

5. Source documents

5.1 None.