

The Year In Review



Children's Complaints and Feedback Team

Complaints Performance and
Service Improvement Report
April 2023 - March 2024



Message from the Children's Complaints and Feedback Team

Publishing an Annual Report every financial year is a statutory requirement placed upon each Local Authority (regulation 13(3) under The Children Act 1989 Representations Procedure (England) Regulations 2006). Following implementation last year, the Complaints and Feedback Team (CCFT) have again produced an Annual Report showing balance between numbers of compliments and complaints received, whilst demonstrating that feedback received through complaints is considered a rich source of intelligence from which we can identify patterns and introduce positive changes to service delivery.

Accountability and transparency are also integral to creating a positive organisational culture of learning. The

CCFT regularly reviews our own practice to ensure we are making positive changes based upon feedback, but also by implementing learning from Local Government and Social Care Ombudsman (LGSCO) decisions, focus reports, and shared learning from the National and Eastern Region Complaint Managers Groups. An example of this resulted in the removal of potential barriers to accessing the complaints processes we administer, taking learning from the Oliver McGowan Mandatory Training on Learning Disability and Autism and by implementing the Accessible Information Standard's five key recommendations on identifying, recording, flagging, sharing, and meeting the information and communication support needs of customers and complainants with a disability, impairment, or sensory loss.



In addition, we have been working with colleagues from across the Council to prepare and respond to the LGSCO's recently launched Complaint Handling Code, which became applicable as of April 2024. It is anticipated that the new Code will provide a nationwide approach to complaint handling when it becomes enforceable in 2026-27. During 2024, the Ombudsman will work with pilot authorities to test the new Code and prepare supporting guidance, clarifying its expectations and applying the Code on the premise of 'comply or explain'.

Reflecting on this year's performance, it has proven to be the busiest year for both compliments and complaints since we began keeping comprehensive records, with Q4 being the busiest quarter ever, closely followed by Q2. Pleasingly, the CCFT has also seen a 19% increase in compliments, but there has also been a 16% increase in Stage 1 complaints on last year's figure. With respect to the increase in complaints, many relate to Statutory Assessment, stemming from the unprecedented demand for SEND Services and compounded by the national shortage of Educational Psychologists.

Being part of the Quality Assurance and Performance Improvement Service (QAPI), we strive to ensure the child is at the centre of everything we do. Consequently, we have been asking ourselves "so what?" when considering our work and whether it will have a positive effect on the lives of children, young people, and their families.

Local Government &
Social Care
OMBUDSMAN

Complaint Handling Code



In Q3, we stepped up our monitoring of the Complaints Actions Tracker through regular input at Performance Board and by pursuing updates from action owners. Through a concerted effort by all, headway is being made, with outstanding actions reducing, whilst also providing essential evidence that identified service improvements are being made.

Moving forward into 2024-25, there will be a greater emphasis on collaborative working through our training offer.

In addition, we will work with individual services to produce tailored reports, sharing reoccurring themes, ensuring lessons are learned leading to sustainable service improvements, thus completing the feedback cycle.

Jo Shickell
Children's Complaints Manager

Contents

5

At a Glance

Quick look at the volume of feedback received

6

Feedback Summary

Snapshot of types of feedback received

7

Celebrating Success

Samples of compliments received

9

Complaints

Statistical review of Stages 1, 2, and 3 complaints

11

Complaint Themes, Actions & Service Improvements

12

Counting the Cost of Complaints

14

Local Government and Social Care Ombudsman

15

Focus On

Diving into the work of the Statutory Assessment Team

17

Case Study 1

A trajectory of mistrust and miscommunication based upon unverified concerns and assumptions

19

Case Study 2

Neglectful parenting?

21

Case Study 3

Good enough parenting?

25

Case Study 4

The increasing cost of *leaving*

CCFT Contact Details

At a Glance

Considering all representations
received in the year

 compliments: **246** (206) *

 enquiries

general: **30** (16) councillor: **19** (15) MP: **112** (112)

Statutory

 stage 1: **86** (52)


 stage 2: **10** (7)

 stage 3: **1** (3)

Corporate

 stage 1: **368** (339)

 stage 2: **39** (38)

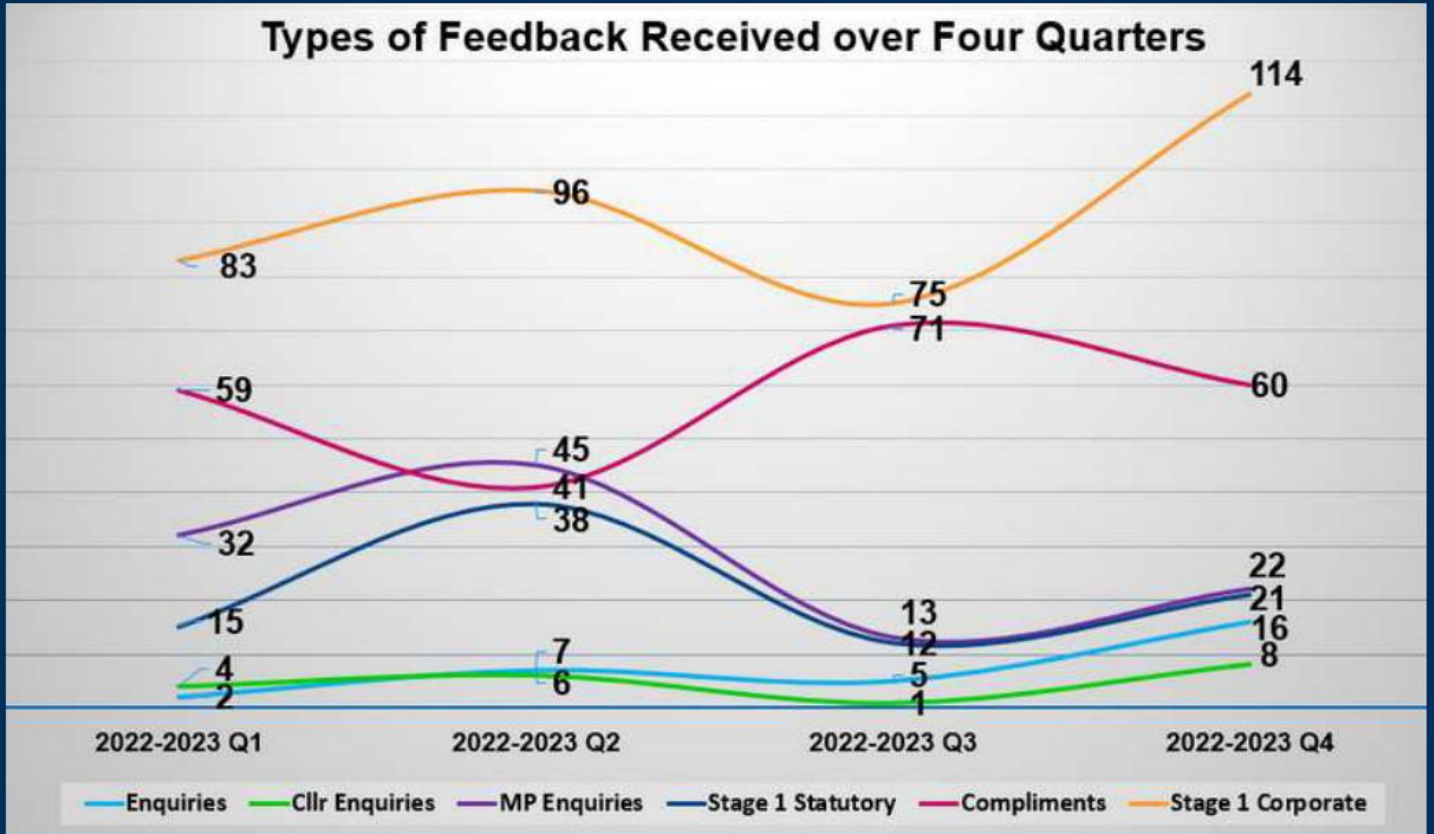
 stage 3: **16** (17)

 LGO enquiries: **17** (29)

* Figures in brackets are for the preceding year: April 2022 – March 2023

Feedback Summary

Graph 1



The Children’s Complaints and Feedback Team (CCFT) receive and records all forms of feedback regarding Cambridgeshire County Council’s Children’s Services. Graph 1 indicates the different feedback received throughout the last year. As indicated in the graph, the CCFT facilitates responses to MP and Councillor enquiries relating to children. Whilst enquiries are dealt with outside of the Council's Complaints Procedure, they are investigated with the same level of rigor as complaints.

In addition, the CCFT also deals with complaints which have escalated to Stages 2 and 3, as well as other forms of feedback throughout the year:

Resolving Professional Differences



Safeguarding Partnership Board Complaints



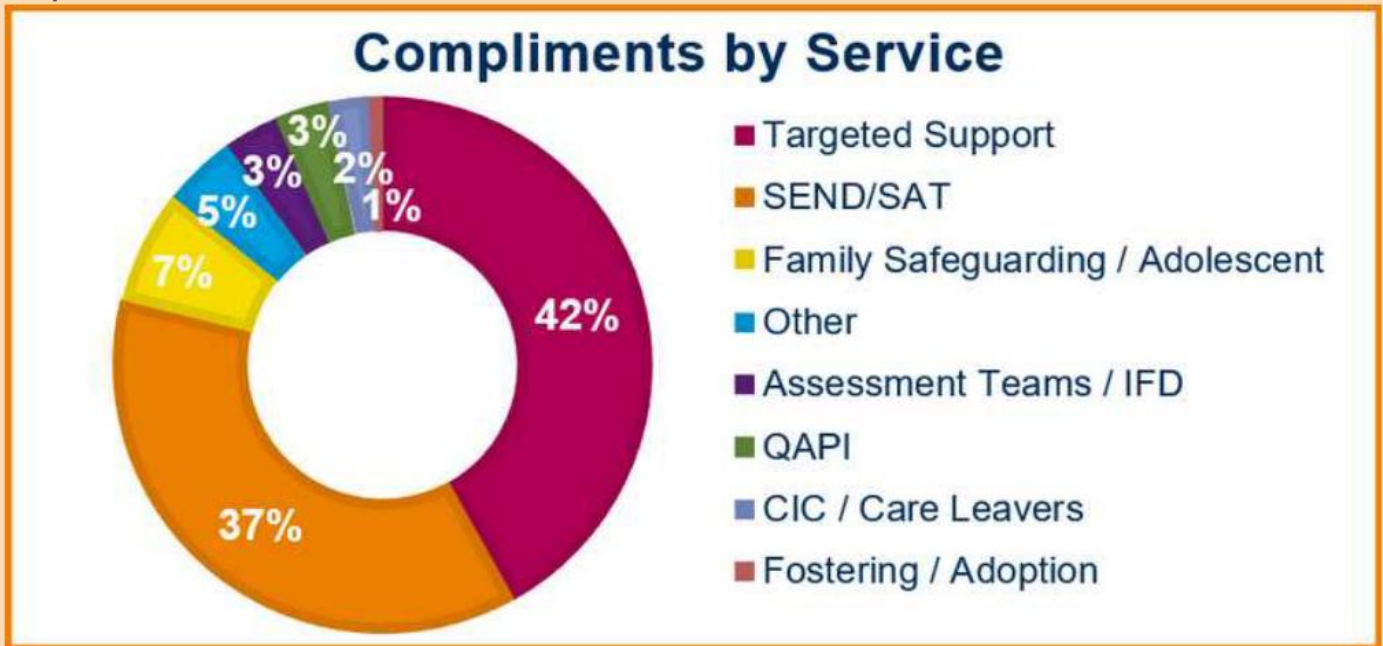
Correspondences

Representations

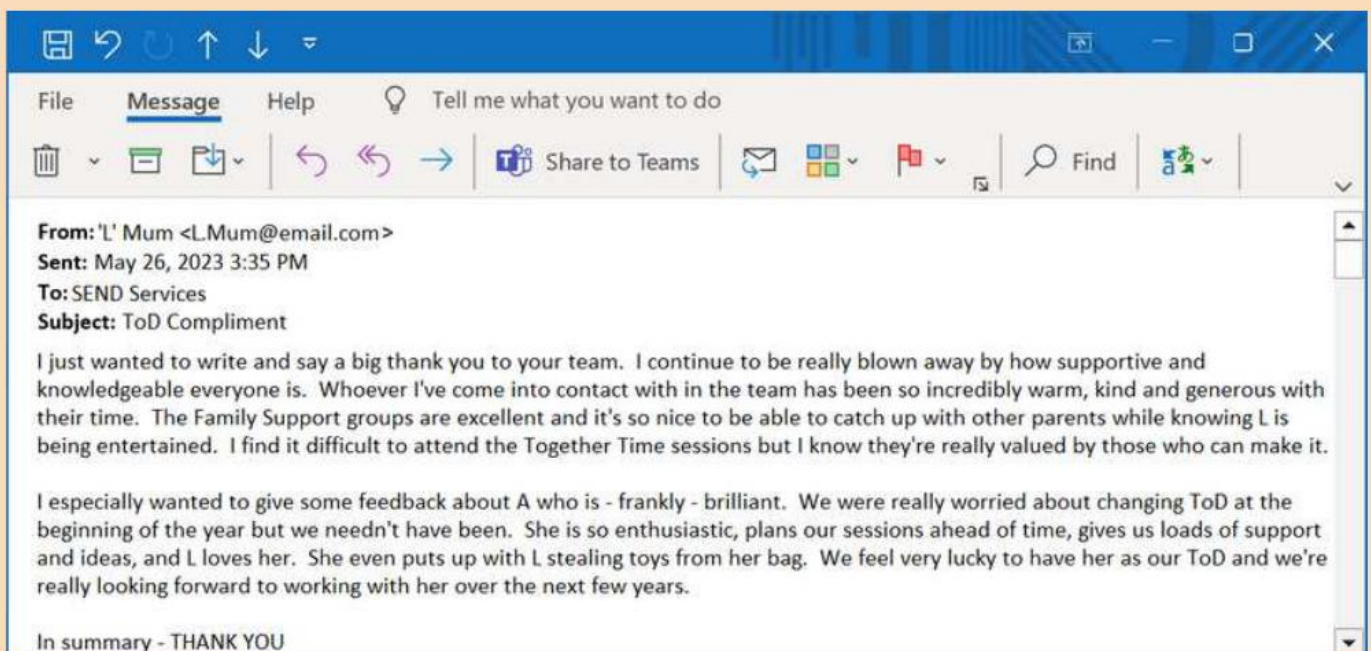
Celebrating Success

In the last year, the CCFT received 246 compliments. The highest number of compliments received related to the Targeted Support Service with 103 compliments, followed by the Special Educational Needs and Disabilities (SEND) Service (which includes the Statutory Assessment Team [SAT]) with 91 compliments.

Graph 2



Parents' Compliment for Teacher of the Deaf (ToD) in SEND Services



Parent's Compliment for YPW in Targeted Support



Parent's appreciation for SEND

My apologies for sounding a bit aggressive during the zoom meeting. Over the last 20 years I have dealt with so many professionals who really did not understand autism. As a result, I had prepared myself to do battle. Instead I found two professionals who really do "get it". In fact I found you were often there before me. It was a bit of a shock. I just wish there were more like you. Thank you so much. You restored my faith that things really are getting better.



Supervised Contact Worker's flowers from a Foster Carer

Solicitor said of Social Worker in Family Safeguarding

Please may I take this opportunity to flag up how impressed I have been with T's helpful approach throughout this case. T genuinely approached the 7-day fact-finding back in April with an open mind which is exactly what we would want to see from the allocated social worker. I thought T's parenting assessment was really well written – it focussed on the key areas of risk and provided well thought out analysis.

I think it is clear the court found T's work to be of a high standard and of great assistance. I hope no-one minds that I have copied in T's managers but this has been a complicated case and T's work has been excellent throughout.

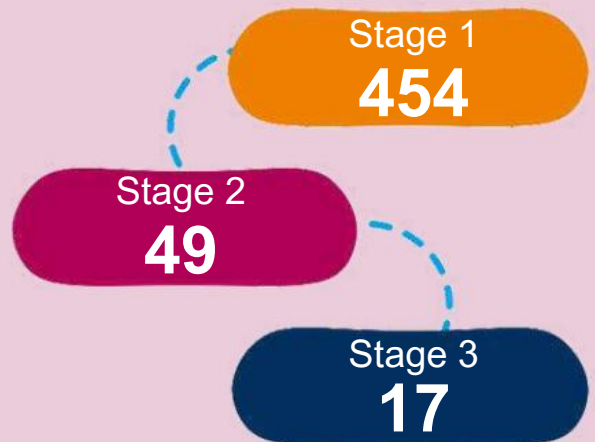


Complaints

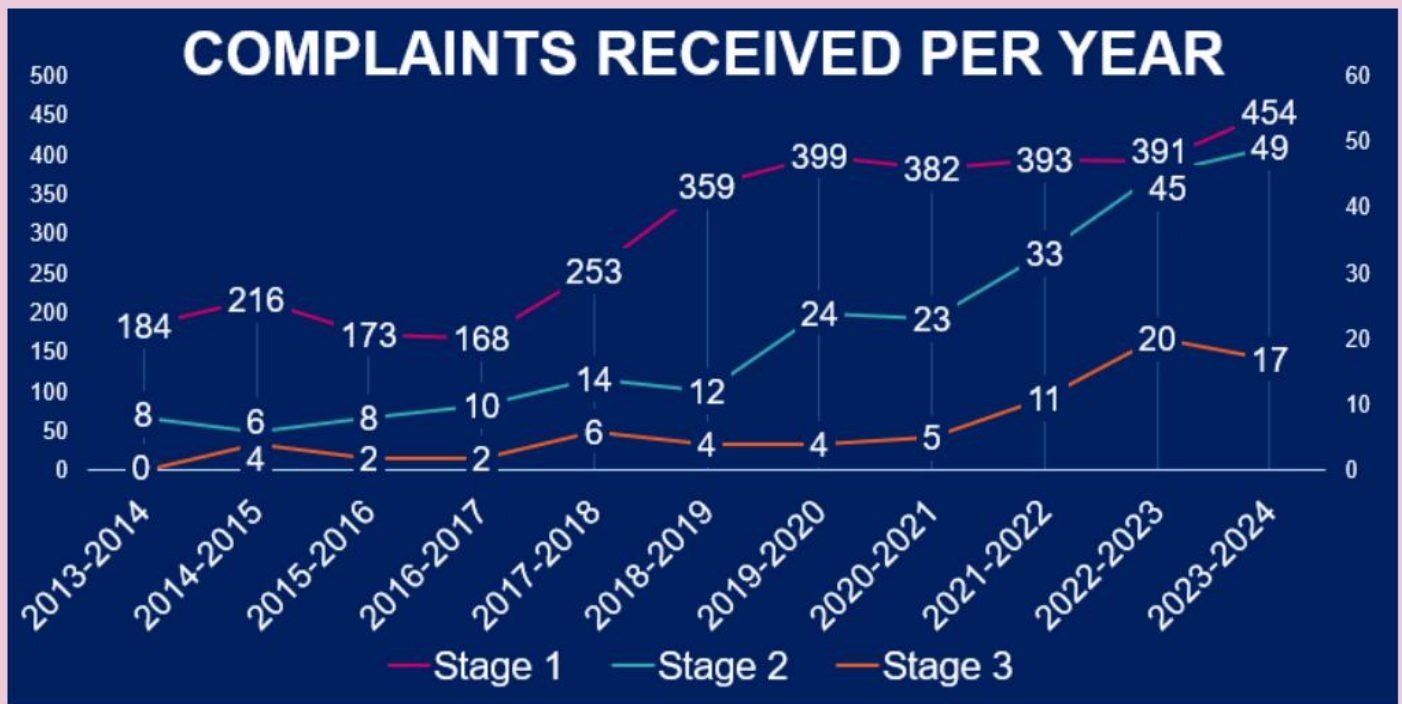
Complaints about Children’s Social Care are largely covered by Statutory Regulations and National Guidance, all other types of Children’s complaints are covered by Cambridgeshire’s Corporate Complaint Procedure. A detailed description of both is available to members of the public on the [Cambridgeshire County Council website](#).

In this past year, the CCFT received a total of 520 Statutory and Corporate complaints combined across all three stages of the complaints process. This is an increase of 14% over the previous year.

Statutory and Corporate complaints received:



Graph 3



Out of the 454 Stage 1 complaints received this year, **33** were made by young people, of which **26** were assisted by an Advocate.

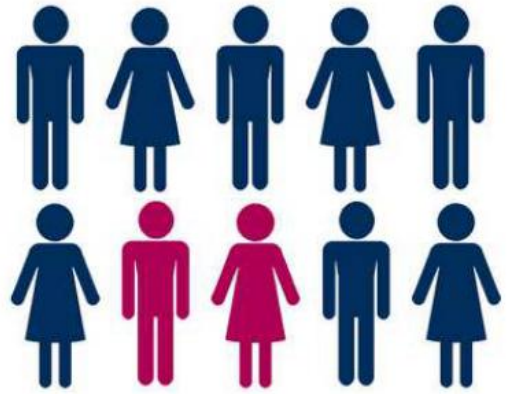
National Youth Advocacy Service (NYAS)

Telephone: 0808 808 1001
 Email: help@nyas.net
 Website: www.nyas.net

VoiceAbility Advocacy

Telephone: 0300 303 1660
 Email: helpline@voiceability.org
 Website: www.voiceability.org

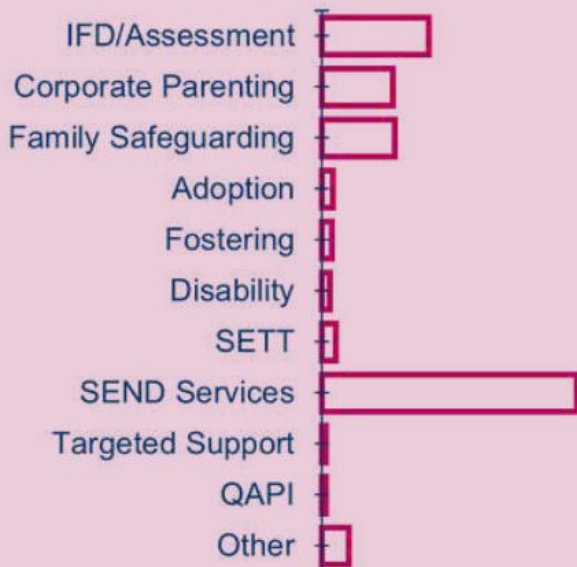
The Service Area that received the majority of Stage 1 complaints was SEND Services with 198 received this year (184 of which were for SAT), followed by the Integrated Front Door (IFD) and Assessment with combined 83 complaints received.



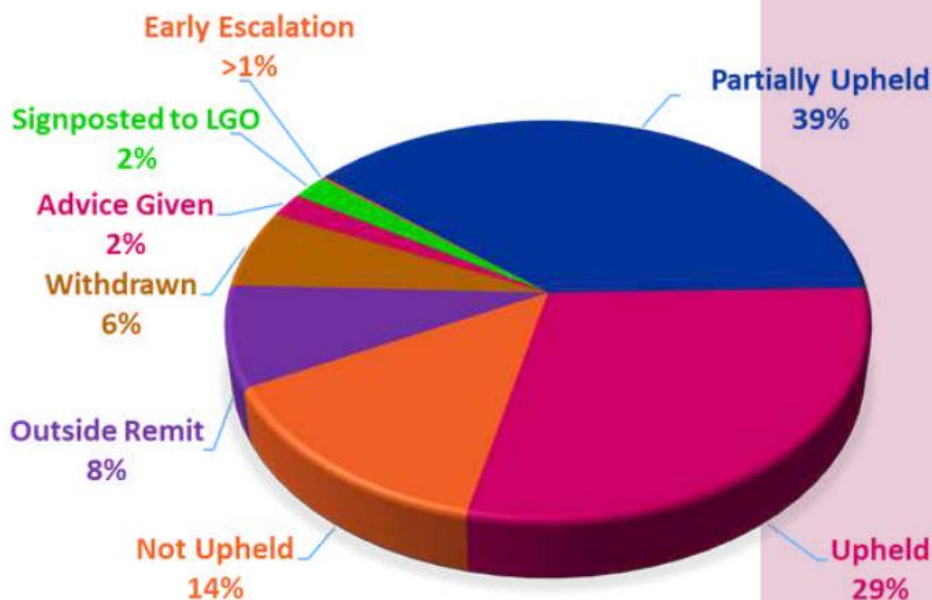
Out of all initial Stage 1 complaints received in the year, 20% were either reopened or escalated, necessitating a further investigation and response, indicating the original investigation / response did not address or resolve the complainants' concerns satisfactorily. This is an increase over the previous year which saw a dip to only 10% of complaints reopened or escalated. Furthermore, we have also seen an increase in complaint responses extending their due date as well as complaints being responded to out of timescale.

Graph 4

Complaints by Service



Graph 4



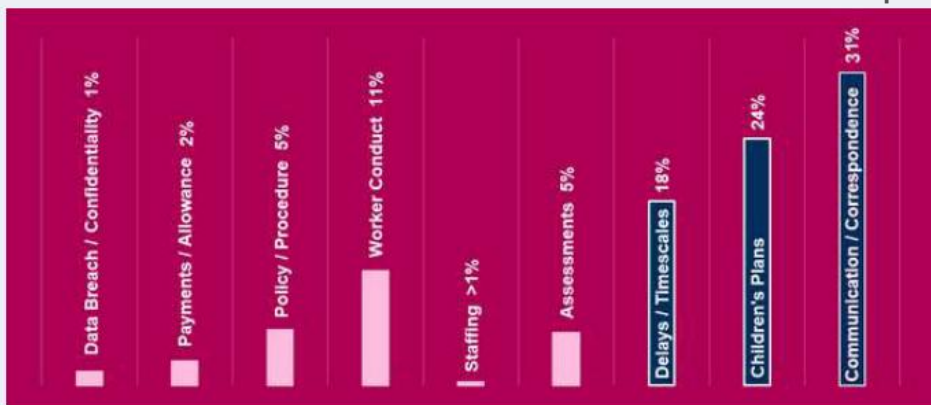
Complaint Findings

Out of the 504 complaints which concluded this year, the majority were partially upheld (39%) or fully upheld (29%).

Complaint Themes

Graph 5

Issues raised in complaints are inevitably similar at all three Stages of both the Corporate and Statutory Complaints Process, falling into one of various categories: communication, assessments / reports, worker behaviour, delays/timescales etc.



The three most common themes of upheld and partially upheld complaints relate to; delays, plans, and communication, together accounting for 73% of these complaints. Throughout the year, 31% of upheld and partially upheld complaints related to difficulties with communication. We saw a number of parents complaining that they had not been contacted at all over several months or longer and had received no updates about their children. In many cases, parents had been actively seeking updates from their allocated worker, and on

the rare occasion that they did receive a response, it was insufficient. More concerning, we saw young people complaining that their own workers had not communicated with them either at all, or had done so ineffectively, resulting in loss of belongings, problems with placement moves, uncertainty about their futures, and them not having financial support.

The second most common theme (24%) of upheld or partially upheld complaints have been attributed to problems with plans. Complainants report feeling that their child's needs have not been adequately

considered and therefore appropriate plans have not been produced in the child's best interest. While some parents feel that an appropriate plan has not been created for their child at all, others complain that the plan which the Local Authority produced for their child is not in fact being adhered to, resulting in their child not receiving necessary provision. The types of plans being referenced in these complaints include Education, Health and Care Plans by the SAT, plans about placements for Children in Care, and Pathway Planning for Care Leavers.

Complaint Actions

Graph 6



In the course of investigating complaints, actions are often identified, and promises made in complaint responses to carry these actions out. The CCFT log

and monitor these actions to ensure the feedback loop is being closed.

This past year, 102 complaints have been resolved through the completion of actions agreed. Although the highest number of complaints received is from the SAT/SEND team, this service has also completed the highest number of actions followed by Corporate Parenting. As of the end of the year, 108 complaints have actions which remain ongoing.

Service Improvements Through the Year



Alternative Provision options for children with profound and multiple learning disability (PMLD) have been built into the new placement system.



Information for parents on all aspects of the Education Health and Care Plan (EHCP) process, including health needs has been uploaded onto the new SEND Hub Local Offer.



No recourse to public funds (NRPF) Policy has been reviewed, updated and uploaded to Council's website.



Information for parents about educational placement consultations has been added to the SEND Information Hub (Local Offer).



The Local Authority's education placement consultation letter has been significantly amended to ensure schools make a robust response so discussions take place where they feel they can't meet need.



Information on the Over Age Transfer Policy is now available on the SEND Information Hub (Local Offer).

Counting the Cost of Complaints

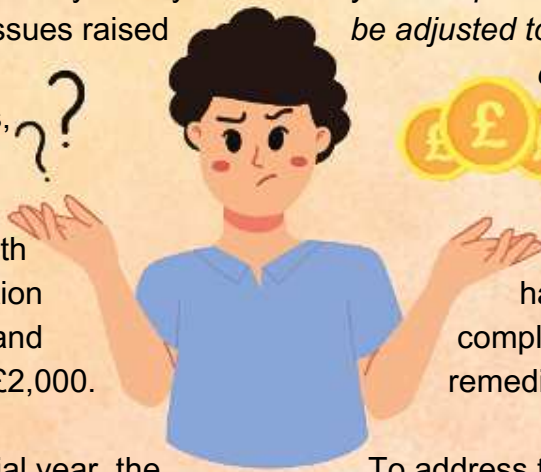
Since the beginning of the financial year (2023-24), we have been monitoring the cost of complaint handling with a view to improving our overall customer experience and demonstrating how prevention is often better than the cure. For a while now, we have been analysing data collected on themes and patterns arising in complaint investigations, to identify and address areas of concern; reduce the likelihood, incidence, and extent of

complaints being raised; prevent issues from escalating; and insulate the Council from avoidable reputational damage through increased customer confidence and satisfaction.

As mentioned earlier, we have seen an upward trajectory in the number of complaints received over recent years. However, an increase in complaints ought not

necessarily be viewed as a system failing. Rather, it can be an indication as to how the organisation has become more accessible and open to receiving feedback, and complaints should be considered a rich source of information about how the organisation's performance is perceived and can be improved.

However, handling complaints can be a costly business; the first direct cost is incurred through time spent clarifying the complaint and what is required to resolve the concerns. Then there is time spent on the investigation, with managers are diverted from day-to-day duties in order to explore the issues raised and make a response. With respect to statutory complaints, there is the additional cost of using external, independent investigators and panellists, with the average Stage 2 investigation costing on average of £3,500 and Stage 3 reviews averaging at £2,000.



the complaints in a robust and timely manner. In some circumstances, we may need to consider making a symbolic payment in recognition of the 'time and trouble' arising from how the organisation considered the complaint (i.e. taking much too long). The Local Government and Social Care Ombudsman (LGSCO) provides the following guidance on the matter; *whilst there is inevitably time and trouble involved in bringing a complaint... this only generally requires a remedy when there has been fault in the way the organisation considered the complaint. The remedy payment for 'time and trouble' is likely to be up to £500. This payment should be adjusted to reflect the degree of extra*

difficulty experienced by the complainant, and any factors which make the complainant vulnerable.

At year end, the Directorate had offered £69,458.48 to complainants by way of financial remedies.

At the conclusion of the financial year, the CCFT had facilitated nine statutory Stage 2 investigations and one statutory Stage 3 review, costing £14,051.32. Where faults were found leading to an injustice, it is necessary to try and remedy the situation by placing the complainant back in the position they would otherwise have been in had the faults not occurred. Primarily, this is done by focusing on restoring services that have been denied and taking practical steps to put things right. However, where this isn't possible, it may be necessary to offer a financial remedy, especially when there has been a quantifiable financial loss or impact. This can also be in the form of a symbolic payment, in recognition of a loss of service or opportunity, avoidable distress and/or inconvenience.

Finally, there is the need to consider the more discrete, reputational cost to the Council. This can be compounded when we fail to consider

To address this, we continue to promote six core principles which sit at the heart of the standards we expect from each other.



1. Getting it right from the outset
2. Being customer-focused
3. Being open and accountable
4. Acting fairly and proportionately
5. Putting things right
6. Striving for continuous improvement

Local Government and Social Care Ombudsman

The LGO have a number of useful resources on their website; you can check out advice on [effective complaint handling](#), advice on [complaint remedies](#), [Cambridgeshire's performance](#) on dealing with complaints and read specific [focus reports](#) based upon the learning from LGO complaint investigations, including the recently published 'Parent power: learning from complaints about personal budgets – November 2023'.

As mentioned earlier within the commentary, during 2023-24 the LGO launched a joint consultation with the Housing Ombudsman to introduce a new Complaint Handling Code for local Councils, to provide a Nationwide approach to complaint handling for all complaints other than those covered by The Children Act 1989 Representations Procedure

(England) Regulations 2006 or Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. Following the conclusion of the consultation, the LGO issued their response, along with a FAQ guide and the new Complaint Handling Code in February 2024. Applicable from April 2024, the LGO expect local Councils to carefully consider the Code when developing policies and

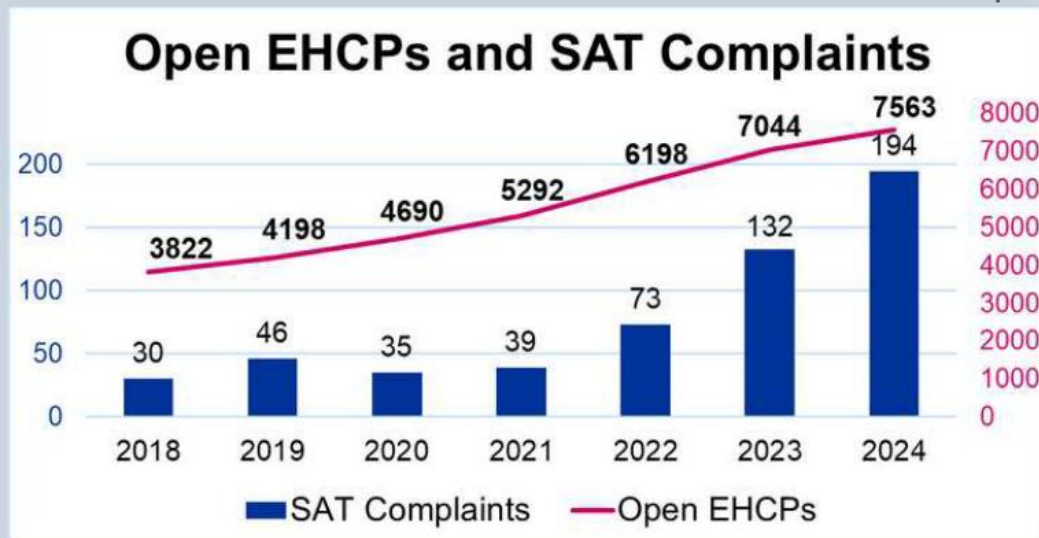
procedures, and where a Council decides that it will depart from the Code, it should ensure local decision-making processes have been properly followed. However, the LGO may make a finding of maladministration where local Councils' policies and procedures depart from the Code or do not meet the standards in the Code when responding to an individual complaint without sufficient explanation.



Focus On

Over the past seven years, the Statutory Assessment Team (SAT) has seen a steady year-on-year increase in the number of open Education Health and Care Plans (EHCPs). As illustrated in graph 7, in that period, the number of open EHCPs has nearly doubled, however the number of complaints dealt with in relation to EHCPs has multiplied sixfold.

Graph 7



Whilst the overall percentage of SAT complaints measured against the number of current Plans is relatively low, the significant increase and overall number of complaints which are upheld following investigation, provides an indication over where the Service is struggling to meet their Statutory duties.

The issues being complained about largely relate to delays of the issuance of plans (frustrating the parents' right to appeal), Education Health and Care Needs Assessments (EHCNA) 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 SAT.

Of the 168 SAT complaints which concluded in the year, 83% of these were found to be either fully or partially upheld. This is higher than the average rate of complaints of which 68% were found to be fully or partially upheld.

Complaints are a good indication of what is not working well in the organisation, and we know that there are several areas within SEND Services that require significant focus. The overriding principle of the SEND Transformation Programme, in line with the joint SEND Strategy, is early prevention, ensuring support is in place as early as possible to support children and young people and their families. The vision being, children and young people with SEND will have their needs and outcomes more effectively met at all stages of their journey through the system.

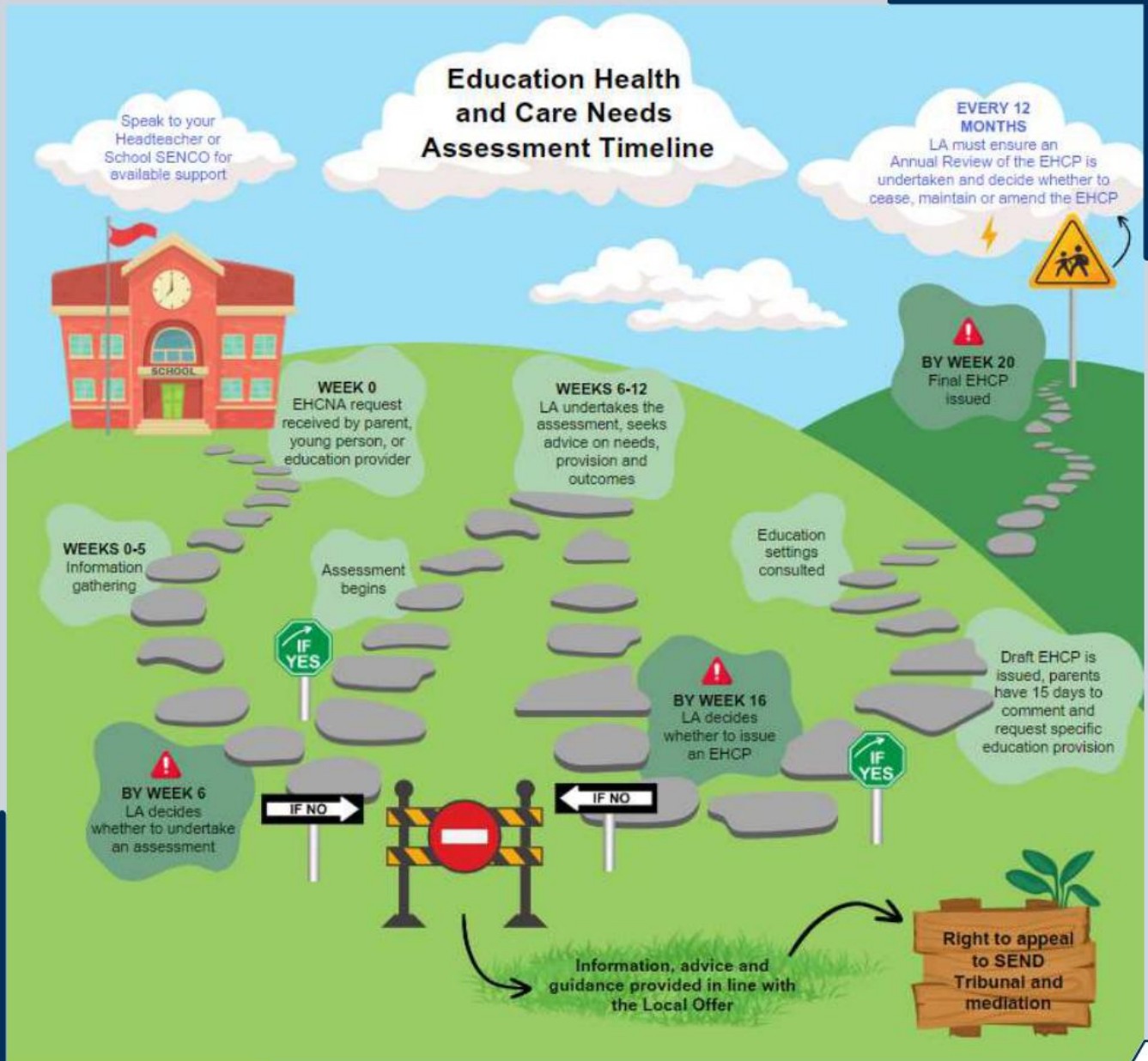
The EHCP Improvement Plan is a full-scale system and service delivery improvement portfolio. It aims to review policy and practice as part of wider plans to improve timeliness, quality and confidence in the system and increased transparency in decision making. This will include reviews of the EHCNA process, obtaining appropriate information from partner agencies and continuing review and improvements to be made to the

mediation / tribunal process. A steering group has already been set up to plan the timelines of work, however in the meantime, work has begun with partner agencies examining health advice as part of the EHCNA process. There has also been a commitment to increase capacity within the SAT, with eight temporary Casework Officers having been employed with plans for permanent recruitment.

For children with an EHCP or in the EHCNA process, a new case management system is being prepared for implementation, this will improve administration processing and timely communications, plus professional and parent

portals will allow people to upload information and see the status of their case, ensuring a more collaborative experience.

The SEND Information Hub is a new Local Offer website with an accessible layout, improved search facility and more information to better inform parents/carers and professionals. This was launched on 15 May 2023. This compliments the Ordinarily Available Provision (OAP) Toolkit which provides clarity about the support that can be made available for children without an EHCP at SEND Support and was launched in April 2023.



CASE 1

A trajectory of mistrust and miscommunication based upon unverified concerns and assumptions

A third-party referral was received from a professional. The referrer advised they had no direct knowledge of the family being referred but had received information from a colleague, supported by a medically qualified professional. The concerns had not been shared with the family in advance of the referral being made, and subsequently the accuracy of information contained in the referral was disputed by the parents, along with the level of scrutiny applied to the referral by Children's Social Care upon receipt.

During the Stage 2 investigation, it was found that there had been a series of miscommunications and misinformation recorded from the point of referral, resulting in escalation to an Initial Child Protection Conference (ICPC). There had also been insufficient effort made to engage with the family before it was decided that threshold to convene an ICPC had been reached.

Following the ICPC, a referral was made to the Children's Disability Team, and a Disability Social Worker was assigned to assess the child's needs

alongside the allocated Social Worker, who had not met the child until the first Core Group Meeting.

The justification for the Child Protection Plan (CPP) was largely based upon the child's presentation, which was subsequently clinically assessed to relate to Autism Spectrum Disorder (ASD), yet the Plan indicated the child's presentation was likely a result of neglect.

It was found that the Child and Family Assessment presented to Conference wasn't sufficiently evidence-based, and the escalation from the referral to the Strategy Discussion, and ultimately the Section 47 (Child Protection) Enquiry, took place without seeing the child or the parents. Information presented to the ICPC did not provide sufficient clarity to form a clear plan of action. There was also evidence of miscommunication between Health and Social Care, and although some Health information was available, it was incomplete. As she was unable to attend, the mother provided a statement for Conference outlining areas she wished to be addressed but this was not shared with the other Conference participants.

At the Review Child Protection Conference (RCPC) it was determined that the child would remain subject to the CPP, despite both Social Workers recommending a step down to a Child In Need (CIN) Plan. Instead, the Independent Chair decided the child should remain subject to CP planning, as it was felt threshold was met. This decision was subsequently reviewed, and the child was de-listed.



Putting Things Right

- The investigating officer met with the assessing Social Worker and their Service Manager to ensure Assessments are accurate and information is triangulated with Partner Agencies.
- The investigating officer met with the Independent Chair and reminded them of the need to ensure any statement provided by a parent for Conference is considered in its entirety if the parent can't attend in person.
- Moving forward, Independent Chairs will consider if the Conference can go ahead or if it needs to be rescheduled when all information is available to make an informed decision.
- Follow-up work with Independent Chairs and Multi-Agency Partners on their understanding and application of threshold for Child Protection planning to be undertaken.

Learning Points

- Good practice suggests information contained within a referral should be verified and the parents informed of the reason for Children's Social Care's involvement.
- It is the Social Worker's responsibility to engage with parents in a non-threatening, respectful manner, articulating clearly why they need to meet with the family and what the intended outcome is.
- To conduct an evidence-based Assessment, the child must be seen, and the parents should be included in the process.
- The parent's anxiety in this case should have been considered within the context of the referral, in terms of how best to communicate with them.
- Social Workers need to understand the context of a referral to consider the accuracy of the information.
- Social Workers should ensure that any information presented in their Assessment to an ICPC is accurate to the best of their knowledge, and where there is uncertainty that all efforts are made to ensure factual information is presented, as the author of any Report for an ICPC is accountable for the quality and accuracy of it.
- The Independent Chair's role is to hold professionals and parents to account for the content. i.e. if there is a lack of evidence-based Assessment, it's the role of the Chair to challenge the relevant professional, and in the absence of an evidence-based Assessment, the Conference should be adjourned until all the facts are made available.
- Independent Chairs to ensure any statement provided by a family member who is unable to attend a Conference is considered in its entirety.
- GPs to accurately record information for ICPC, specifically to include dates when referrals for Assessments are made and what their plan of action is if an appointment isn't followed up.

Neglectful Parenting?

A young person in the care of the Local Authority raised a complaint with the support of their NYAS advocate, complaining they had required dental treatment for the past four years (since 2019). To get to see an orthodontist, they required a dentist to complete a referral, however, their current residential placement had exhausted all NHS dentists within the local area and despite approaching the GP for assistance, the local dental hospital rejected their referral for emergency treatment.

Whilst it was agreed at Stage 1 that Social Care would fund the young person's dental treatment privately, due to further delays in communication, the young person elected to escalate their complaint to Stage 2.

The Stage 2 investigation found that the young person had been the subject of a Care Order since Summer 2018, however, the young person's care plan relating to their dental requirements had not been met since 2019.

When the young person initially came into care, it was apparent that they had dental requirements. This was reinforced when the young person initially went to their registered NHS dentist, as baby teeth were removed, and on another occasion a root canal was undertaken. Social Care were informed that the young person would require orthodontic intervention to address a prominent overbite including the possibility of the removal of front teeth and a retainer fitted. Social Care was advised there was an optimum time for this dental work to take, which was around 13 – 14 years of age.

With the breakdown of a placement, the young person was moved out of county. Their new placement was made aware of their dental needs, and they were registered with an NHS dentist and recommenced the process of seeing an orthodontist.

In 2021, the young person had an orthodontic appointment with their local Dental Hospital. At their first appointments, the young person was accompanied by their allocated Social Worker, however a further two appointments were missed, and therefore the young person was discharged from the Dental Hospital's care. These missed opportunities denied the young person to receive their long-awaited dental treatment.

Sadly, following the missed appointments, the young person's placement broke down and they were moved initially to an unregulated placement, and then later in 2022 they were moved again to their current placement. Whilst every effort was made by the current placement to register the young person with an NHS dentist, this was to no avail.

Drift was found in the young person's care plan regarding their dental needs, the reason provided during the Stage 2 investigation was priority was given over to finding an approved residential placement and the ongoing delays in signing off funding for this, as well as there had been a lot of changes in Social Workers allocated to the case.

Missing two known appointments at the Dental Hospital in 2021 meant the young person was unable to receive dental treatment, and there was no attempt documented to re-engage the Dental Hospital, even though these missed appointments were booked eight months before the young person's placement broke down.

It was also found that the young person had been subjected to bullying, relating to their overbite which emotionally affected them. This was widely known about as it was regularly commented upon within the care plan.

At the last Child in Care (CiC) Review, there were discussions around unsuccessful attempts to register the young person with an NHS dentist, and despite a GP making a referral to the current local Dental Hospital, they had responded that they could not complete the work, referring the young person back, stating they should see an NHS Dentist.

During the Stage 2 investigation, an application

for funding for a private dentist assessment was made and the young person attended their first appointment in June 2023, however, the outcome was still unknown. At this point, the young person had already waited at least four years.

The Stage 2 found that opportunities had been missed with agreed timescales constantly overridden, therefore the complaint was upheld.

Dental neglect is defined by the British Society of Paediatric Dentistry as ‘the persistent failure to meet a child’s basic oral health needs, likely to result in the serious impairment of a child’s oral or general health or development.’ In addition to this, the association lists impact factors when assessing a child and identifies one of these as; the child may be put at risk of being teased because of poor dental appearance.

Section 7 of The Care Planning, Placement and Case Review (England) Regulations 2010 states that the responsible authority must take all reasonable steps to ensure that a child is provided with the appropriate health care services in accordance with the health plan which includes dental care and treatment.

Failure to carry out dental assessments should be raised formally through the Independent Reviewing Service’s dispute resolution process.

Learning Points

Putting Things Right

At Stage 2 adjudication, it was agreed that once the treatment plan was established, if deemed urgent and cannot be provided within a reasonable timescale by a NHS Dentist, the Authority would fund private treatment, agreeing a preliminary budget of up to £3000 to cover any initial urgent treatment costs.

The adjudicating officer also agreed to follow up with the Independent Reviewing Service to ensure the failure to carry out dental assessments are raised through their dispute resolution process, and agreed to remind all CiC Teams of their responsibility to ensure that dental check-ups take place regularly and any arising recommendations for treatment need to be followed up as soon as possible.

CASE 3

Good enough parenting?

In August 2023, we received six separate complaints from Care Leavers, all of whom are current university students, complaining about the Local Authority's vacation accommodation policy as outlined in the Higher Education Cambridgeshire Offer.

All six young people raised their concerns, supported by the National Youth Advocacy Service (NYAS), requesting the Local Authority reconsider their responsibility as outlined in the Leaving Care Act 2000, Article 24 which states; *the Local Authority shall assist by either (a) provide the Care Leaver with suitable alternative accommodation or (b) paying them enough to enable them to secure their own accommodation.*

At the material time of their complaint, the Local Authority's Offer detailed the different components and commitment to Care Leavers to provide the following;

- £2250 Cambridgeshire Higher Education Bursary each year of study
- £2000 Higher Education Bursary (for the period of study)
- £600 towards the cost of summer accommodation each year of study

The intention of the bursary being to assist students with the day-to-day costs of studying which is supplemented by student loans and other local initiatives which the Leaving Care Service would help each individual to explore through Pathway Planning.

In the first case (case A), the young person had

been advised by two different members of the Leaving Care Service that they would receive the local housing allowance rate of £178.36 per week for the 2023 summer vacation period, before it had been agreed and whilst 'The Offer' was still under review. Therefore, at Stage 1 it was accepted that the young person would receive the equivalent to the weekly housing allowance rate of £178.36 for a 12-week period totalling £2,140.32 (less the fixed allowance of £600 already provided), despite it not being part of the current offer, in recognition that their summer plans had already been made with the trusted knowledge that they would be receiving this money. This young person accepted the offer, satisfied their complaint was resolved.

In the second case (case B), the young person complained that they had not received their summer accommodation allowance of £600, and highlighted this amount was not enough to meet their costs and did not in their view, meet the requirements set out in the Care Leavers Act, suggesting the allowance should be in line with the local housing allowance rate and allocated for every week of summer holiday period. Again, it was found at Stage 1 that the young person had been advised by a member of the Leaving Care Service that they would be supported for 12 weeks at a rate of £178.36 per week. By way of resolution, a financial remedy was agreed, and the young person accepted an offer of £2,140.32.

In the third case (case C), the young person complained they had only been provided with £600 contribution towards their holiday accommodation, and asked the Local Authority to reconsider their offer based upon advice they had received from a member of the Leaving Care Service that they would receive a contribution in line with the local housing allowance rate at £178.36 per week for 12 weeks. However, this young person challenged this advice believing they were entitled to receive the allowance for their whole summer holiday period, which for them was 21 weeks, totalling £3,745.56. The young person was offered a financial remedy at Stage 1 of £1,540.32, equivalent to 12 weeks previously offered

minus the £600 already received. However, in this case the young person did not accept the offer, and instead requested their complaint be escalated to Stage 2.

With respect to the three other cases (cases D, E and F), all three young people had been advised that their offer would be £600 toward the cost of their summer accommodation. The first of the remaining three (case D) had not received this contribution at the point of complaining and instead requested to receive the local housing allowance rate of £178.36 per week for 12 weeks which they believed they were entitled to. The second of the remaining three (case E) had also been told their offer would be £600 but they also requested the local housing allowance rate of £109.32 per week, relative to the city in which they were staying for the summer. Consequently, the amount they believed they were entitled was £1,858.44 which covered a 17-week period. With the third young person (case F), they too had been advised that their offer would be £600, but they requested to receive Cambridgeshire's local housing allowance rate of £178.36 per week for 19 weeks, totalling £3,338.84 which they believed was the amount they were entitled to. In all three cases, their complaints were not upheld at Stage 1, following which all three young people requested their complaints be escalated to Stage 2.

Following receipt of all four escalation requests (cases C, D, E and F), and in accordance with the Statutory Stage 2 complaint procedure, we asked Coram Voice to undertake an independent investigation into the issues being raised.

Following receipt of the investigation findings, each case was internally adjudicated and the outcome of which was to overturn the findings from not upheld to upheld.

In respect to case C, it was found that the financial remedy offered at Stage 1 was only made after the complaint had been raised and was only intended as a contribution to the accommodation costs incurred rather than covering the whole summer vacation period. It

was also accepted that the young person had received incorrect and conflicting information from the Leaving Care Service, and their Pathway Plan should have considered all aspects of support available from the Local Authority in relation to their university experience, including how their holiday accommodation costs were going to be met. In conclusion, it was found there had been avoidable confusion and a lack of planning support available prior to the young person planned how they would meet the costs of their university holiday accommodation, and the offer made of £2,140.32 did not take account the young person's individual circumstances and needs. Following receipt of their Stage 1 response, this young person also sought to raise an additional concern as part of their escalation request to Stage 2, in-so-much that having been previously unaware of the financial help they could have accessed, they accepted £600 last summer and used the majority of their savings to cover the remainder of their summer accommodation costs, so asked the independent investigators to consider why they were unable to receive the local housing allowance in 2022 as well. This concern was also upheld, with an offer made for the young person to review with their advocate and/or Personal Advisor the expenses incurred in 2022 so they might be appropriately reimbursed. By way of resolution to their Stage 1 complaint, the young person was offered an additional £1,607.24 (difference between 12 and 21 weeks at the local housing allowance rate), plus £100 in recognition of the confusion, uncertainty and stress involved in bringing about their complaint.

In respect to case D, again it was found that there had been confusion and a lack of clarity over what the holiday allowance was to be in 2023, and that accommodation costs still needed to be met during the vacation period with the current level of financial support found to be inadequate to fully cover the expenditure. Again, it was acknowledged that the flat rate offer of £600 was only meant to be a contribution to the accommodation costs incurred, and it was clear there had been no explicit planning

with the young person as no financial information was recorded in the young person's Pathway Plan. As a result, the young person was offered £2,140.32 less the £600 they had already received, plus £100 in recognition of the confusion, uncertainty and stress involved in bringing about their complaint, totalling £1,640.32.

In relation to case E, it was also found that there had been confusion and a lack of clarity about what the holiday allowance was to be in 2023. It was also not clear from their Pathway Plan how they might meet their summer accommodation costs or if indeed this had been discussed with them. Therefore, the young person was offered £1,258.44 to cover the difference between the £600 contribution received and the 17 weeks requested at the local housing allowance rate for the city in which the young person stayed during the summer of 2023.

Finally, with respect to case F, not only was it found that this was a former relevant young person, but also, they were disabled and had not received their entitlement for full level of support

until April 2023. Instead, the young person had been dealt with through a duty system, and as such did not have their own Personal Advisor until April 2023. As a result, they did not have a Pathway Plan until June 2023 which failed to provide appropriate information for the young person so they might be aware of what they could expect to receive to meet their summer accommodation costs. Whilst it was noted the young person's Personal Advisor recorded in August 2023 that they had asked for additional support toward their summer accommodation costs, as the young person was unhappy with the offer of £600, they had been referred to an Advocate to support them with their complaint. As part of the adjudication process, the young person was advised that the Local Authority no longer has a system of former relevant young people being held on duty, and all young people who are eligible, now have a Pathway Plan. The young person was offered an additional £500, given their particular circumstances, which was added to £3338.84 for the 19 weeks of holiday (minus £600 allowance already paid), making a total financial remedy at Stage 2 of £3,238.84.

Putting Things Right

A new offer for care experienced young people from Cambridgeshire who go to university will be launched.

All Personal Advisors are being offered appropriate training on this offer and how to ensure that young people's needs are appropriately assessed and reflected in their Pathway Plans going forward.

The Leaving Care Service has reviewed all other young people who attended university and whether they are entitled to additional financial support for this period, in line with the findings in the complaint.

The Leaving Care Act 2000, Section 24B 5 clearly identifies the Local Authority as Corporate Parents, as having responsibility to cover the cost of the holiday periods for these young people. However, this obligation does not apply simply to the summer holiday period, but all holidays as detailed in The Children Act 1989 guidance and regulations Volume 3: planning transition to adulthood for care leavers;

Vacation accommodation - 7.84. The 1989 Act requires that a local authority ensure that any local authority care leaver in full time residential further education or higher education, regardless of whether they are a former relevant child or qualifying child, has suitable accommodation if they need it during a vacation. The local authority must be satisfied that the young person needs accommodation because their term-time accommodation is not available. This assistance may take the form of either providing the young person with suitable accommodation, or by paying them enough to secure suitable accommodation themselves.

7.85. These provisions apply to every vacation and are intended to ensure that the young person is not homeless during that time. An assessment of whether there is likely to be a need for this assistance should be undertaken when the young person is making a decision about which course to pursue, and when the pathway plan is being reviewed to establish an appropriate package of student support. The requirement to assist, if necessary, with vacation accommodation lasts for as long as the young person continues on the course which has been agreed as part of their pathway plan.

Therefore, for any young person considering embarking on a further education programme, they must understand the level of support they may expect to receive from their Corporate Parents for the duration of the course and this should be recorded in the Pathway Plan. In this way, they may make an informed decision as to whether or not to begin the course.

“Currently just 6 per cent of care leavers aged 19-21 go into higher education, and those that do are nearly twice as likely to drop out than their peers” - DoE 14 March 2019

“When a child is in care, or a care leaver aged under 25, the local Council is their ‘Corporate Parent’. This means that they should act towards these children and young people as any good parent would to their own child. And just as other parents continue to love, support, care for and be ambitious for their children after they turn 18, so too must the state” - Children’s Commissioner

CASE 4

The increasing cost of leaving

A current Care Leaver raised a complaint with the support of their Advocate, explaining that having secured independent accommodation and qualifying for the Leaving Care Grant of £2000 in December 2022, they found the process was very disorganised and unstructured. The young person advised that due to their Obsessive-Compulsive Disorder (OCD) and colour-blindness, elements that may not affect other people often presented difficulties for them, resulting in stress and anxiety. The young person explained how they were told to provide a list of links to the items they would like to buy, so they carefully selected items that worked for them in terms of size, colour, and other furniture already received. However, having received five out of the 13 items requested, their Personal Advisor (PA) deviated from their list and selected the items themselves. This resulted in many of the items selected being not right for their flat or suiting their individual additional needs. Whilst they engaged with their PA, they said their PA was reluctant to provide them with an exact figure for their remaining budget, leaving them feeling like they had very little control.

Upon learning about the Department for Education announcement to uplift the Leaving Care Grant to £3000 in April 2023, the young person asked their PA if they could be considered for the uplift payment. However, they were

advised they did not qualify as they had unknowingly spent 64% of their original budget, and eligibility criteria was for them to have not spent more than 50%.

The young person expressed being disadvantaged by this decision, as they said they had not known the balance of their budget nor the impending decision to uplift the grant, reiterating their lack of control over the items purchased, despite the grant being intended to afford young people to make independent decisions and move on with their adult lives, leaving the care system. The young person also felt their individual additional needs had been overlooked and not considered in the decision.

Whilst it was accepted at Stage 1 that their additional needs had not been considered, and it was agreed that they should have been told what their remaining balance was to help them manage their budget, it was decided that as they had spent 64% of their budget they did not qualify for the uplift and instead they were signposted to the Household Support Fund.

In response to the Stage 1, the young person requested their complaint be escalated to Stage 2 for further consideration, citing they felt the decision not to award them the uplift was unfair as they were only 14% over the limit, also they had been unaware how much of their budget they had left to spend, despite asking for this information.

On receipt of the young person's feedback and escalation request, shortly after external investigators were appointed and had commenced their investigation, the Corporate Parenting Service reconsidered their earlier decision and agreed to honour the uplift of the Leaving Care Grant to £3,000. As a result, the young person withdrew their Stage 2 complaint.

Lessons Learned

It is important that Personal Advisors meet with young people to discuss what items they need and want for their home. Personal Advisors should provide advice and guidance to support young people get the best value for money, whilst ensuring that they are able to make their own choices about essential items for their home. When making a house a home, young people should always have a choice over the items they chose, specifically colour.

The young person was allocated a new Personal Advisor who will help them chose some new household items, to replace those purchased that do not meet the young person's additional needs, including a new bed and mattress up to the value of £400, a black laundry basket up to the value of £25 and tea, coffee and sugar cannisters up to the value of £30. All will be purchased which will not impact on their remaining Leaving Care Grant balance.

Putting Things Right





Children's Complaints and Feedback Team

Box BUT2401
Buttsgrove Centre
38 Buttsgrove Way
Huntingdon
PE29 1LY

ChildrensComplaintsAndFeedbackTeam
@cambridgeshire.gov.uk

01223 714765



Cambridgeshire
County Council