

## Children's Complaints and Feedback Team's Performance and Service Improvement Report - April 2023 / March 2024

To:	Children and Young People Committee
Meeting Date:	25 <sup>th</sup> June 2024
From:	Executive Director: Children, Education and Families
Electoral division(s):	All
Key decision:	No
Forward Plan ref:	n/a
Executive Summary:	Local authorities must each financial year publish an Annual Report (regulation 13(3) The Children Act 1989 Representations Procedure (England) Regulations 2006). The Annual Report should be arranged by the Complaints Manager and should provide a mechanism by which the local authority can be kept informed about the operation of its complaints procedure. The report should be presented to staff, the relevant local authority committee and should be made available to the regulator and the general public.
Outcome:	To provide committee members with a summary of all feedback received in relation to Children's Services, including compliments, enquiries, MP/ councillor enquiries and complaints.
Recommendation:	To consider the content of the report and appendix and request a further report in 12 months' time.

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# 1. Creating a greener, fairer and more caring Cambridgeshire

1.1 This report relates to Ambition 7, Children and Young People have the opportunity to thrive.

## 2. Background

2.1 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.

2.2 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.

2.3 Please find attached Cambridgeshire's Children's Complaints and Feedback Team's Performance and Service Improvement (Annual) Report for 2023/24 at Appendix 1.

## 3. Main Issues

3.1 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 2023/24, as well as themes, learning and actions from these.

### Context

3.2 There was 6968 children in which a safeguarding referral was received within the year. This figure was taken from the CIN Census (the Council's annual return to the DfE). As such, the number of new Stage 1 complaints received relating to Children's Social Care has decreased to 3.14% of this overall total, down on the previous year 5.27% which was an increase on the 3% average over the 6 years preceding.

3.3 Despite only 19% of new Stage 1 complaints being investigated in accordance with The Children Act 1989 Representations Procedure (England) Regulations 2006 (Statutory Complaint Procedure), the total number of complaints received about Children's Social Care equates to 48%.

3.4 Whilst the overall number of Stage 1 complaints received (Corporate and Statutory combined) had been stable for several years, the Council has seen a 16% increase in

combined complaints over the past year, largely due to complaints received regarding the Statutory Assessment Team (SAT) which are investigated through the Council's own Corporate Complaint Procedure. This increase has placed pressure upon the Children's Complaints and Feedback Team (CCFT) and the SAT to fulfil such investigations as they can be complex and protracted in nature.

- 3.5 The service area that received the most complaints this year was SEND Services with 198 complaints (184 relating to the SAT), followed by the Integrated Front Door (IFD) and Assessment Teams with 83 complaints.
- 3.6 The three most common themes of upheld and partially upheld complaints relate to; delays, plans, and communication, together accounting for 73% of all complaints concluded.
- 3.7 Throughout the year, 31% of upheld and partially upheld complaints related to difficulties with communication. The Council received several complaints from parents complaining that they had not been contacted over several months and had not received necessary updates about their children. In many cases, parents had been actively seeking updates from their allocated worker. More concerningly, the Council heard from young people complaining that their own workers had not communicated with them or had done so ineffectively, resulting in loss of belongings, problems with placement moves, uncertainty about their futures, and them not having financial support.
- 3.8 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. Whilst some parents feel that an appropriate plan has not been created for their child, others complain that the plan which the Local Authority produced for their child is not 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.
- 3.9 Out of the 194 complaints received specifically about the SAT, the most common issues being complained about largely relate to delays over 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 the SAT. Of the 168 SAT complaints which concluded in the year, 83% 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.
- 3.10 Out of the 454 Stage 1 complaints received this year, 33 were made by young people, of which 26 were assisted by an Advocate.
- 3.11 Out of all new Stage 1 complaints received in the year, 20% were either re-opened or escalated, necessitating a further investigation and response, indicating the original investigation / response did not address or resolve the complainants' concerns. This is an increase on the previous year which saw a dip to only 10% of complaints reopened or escalated.

3.12 Of the 504 Stage 1-3 complaints responded to, 44% were extended from the initial agreed timescale and 27% were responded to late, outside of timescale.

3.13 There has been lots of rich learning arising from complaints concluded this year which has in turn led to several notable service improvements:

- 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).

## 4. Alternative Options Considered

4.1 Not applicable.

## 5. Conclusion and reasons for recommendations

5.1 The Committee is recommended to consider the content of the report and appendix and request a further report in 12 months' time.

## 6. Significant Implications

### 6.1 Finance Implications

There are no significant finance implications.

### 6.2 Legal Implications

There are no significant legal implications.

### 6.3 Risk Implications

There are no significant risk implications.

#### 6.4 Equality and Diversity Implications

There are no significant equality and diversity implications.

#### 6.5 Climate Change and Environment Implications

There are no significant climate change and environment implications.

### 7. Source Documents

7.1 None.