

Children's Complaints and Feedback Team Annual Report

To: Children and Young People's Committee

Meeting Date: 5 July 2022

From: Charlotte Black, Executive Director, People & Communities.

Electoral division(s): Countywide

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/Councillor enquiries and complaints

Recommendation: The Committee is asked to consider the content of the report and appendix and request a further report in 12 months.

Voting: Co-opted members of the Committee are eligible to vote on this item.

Officer contact:

Name: Josephine Shickell
Post: Children's Complaints Manager
Email: jo.shickell@cambridgeshire.gov.uk
Tel: 01223 699664

Member contacts:

Names: Councillor Bryony Goodliffe / Councillor Maria King
Post: Chair/Vice-Chair
Email: Bryony.Goodliffe@cambridgeshire.gov.uk / Maria.King@cambridgeshire.gov.uk
Tel: 01223 706398

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 at Appendix 1 the Cambridgeshire's Children's Complaints and Feedback Team, Annual Report for 2021/22.

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 2021/22, as well as themes, learning and actions from these.

Context

- 2.2 There were a total of 6921 children whom a safeguarding referral was received about within the year. This figure was taken from the 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 4.306% of this total, from the previous 3% which has been a consistent percentage rate over the past five years.
- 2.3 The Council worked hard through 2020-21 to address the backlog of suspended Statutory Stage 2 and Stage 3 complaints caused by COVID-19 pressures, meaning we started 2021-22 carrying forward only two remaining Statutory Stage 2s, both of which were investigated in Q1.
- 2.4 During the rest of this year, we sought to embed a new way of working following the publication of the Local Government and Social Care Ombudsman's (LGSCO) Guide for Practitioners on the Children's Statutory Complaints Process (March 2021). This guidance offered further clarification on which complaint procedures should be followed when

considering complaints relating to Children's Social Care. This allows councils to use their discretion to consider all parts of a complaint in a single investigation rather than separating issues out based upon which procedure is likely to produce the best result for the complainant, child or young person. As a result, there has been a significant reduction in complaints being investigated through the Statutory Complaint Procedure, however these complaints have still been investigated through the Council's own Corporate Complaint Procedure, hence the significant increase in Corporate Stage 1s.

- 2.5 Despite fewer complaints being investigated at Stage 1 of the Statutory Complaint Procedure, there has still been a significant increase in escalation requests for these complaints to be considered at Stage 2 (88%) and at Stage 3 (400%). This unprecedented demand has placed pressure upon the Children's Complaints and Feedback Team (CCFT), Children's Social Care and the Council's contractual partner, Coram Voice, to fulfil such investigations and reviews. However, once a complaint has been accepted as a Statutory Stage 1, the Local Authority is obliged to ensure that the complaint proceeds to Stages 2 and 3 of this procedure, if that is the complainant's wish.
- 2.6 Whilst COVID-19 restrictions have now all but been removed, complaint investigations and reviews have continued to be held virtually and most likely will remain this way, unless the complainant has IT access issues or expresses a desire for a face-to-face meeting. Largely this is due to the unintended consequence of saving costs by avoiding travel time and expense and the positive feedback received as to how efficient and effective virtual interactions and meetings have been, enabling a higher level of engagement.
- 2.7 Of all the Statutory Stage 1s received this year, 45 (61%) were received from or related to a Child in Care or Care Leaver. 25 (34%) complaints were received from young people of which 20 were supported by an advocate.
- 2.8 Common complaint themes raised by care leavers or children and young people in care relate to the Setting-Up Home Allowance (SUHA)/Leaving Care grant, late allocation of a Personal Adviser, issues accessing their Junior ISA savings accounts, outdated pathway plans, delayed post-18 planning into Leaving Carer status and transfer arrangements to Adults Social Care at 18 years.
- 2.9 There has been specific learning and service improvements made as a result of complaints received from care leavers or children and young people in care:
 - Where there are any concerns over the suitability of a young person's placement, a stability meeting will be held to review the concerns and develop a plan that has SMART outcomes (Specific, Measurable, Achievable, Realistic, Timely) ensuring the voice of the young person is included.
 - When secure transport is being considered to move a young person between placements, the Placements Team will ensure that this is appropriately explained to the young person and their understanding is checked out.
 - A review of the current 'Promoting a seamless transition for young people with additional needs who require ongoing services into adulthood' to be completed to ensure it provides a clear transfer pathway for young people, documenting both financial and case responsibility and the process of allocating a Personal Advisor,

and in addition to this, a version to be completed specifically for young people to access.

- A review of financial entitlements for young people leaving care will be completed, creating a version specifically for young people to access.

- 2.10 As mentioned earlier and identified within the Annual Report, due to our change of practice, we have seen an increase in Corporate Stage 1s (78%) as these now incorporate complaints relating to Children's Social Care as well as SEND Services and Early Help. We have also seen an increase in Corporate Stage 2s (56%), an increase in Corporate Stage 3s (40%) and an increase in LGSCO complaints (25%). These too place additional pressure upon the CCFT and Children's Services but as this is an internal three stage complaint process, the cost of external Stage 2 investigations or Stage 3 reviews can be avoided.
- 2.11 The highest area of complaints accepted at Stage 1 of the Corporate Complaint Procedure relates to the Statutory Assessment Team (24%), closely followed by Children in Care (20%), then Children in Need (17%) and Child Protection (16%).
- 2.12 Common complaint themes raised by parents of children and young people with special educational needs relate to late Personal Budget payments, the Local Authority failing in its duty to ensure educational providers are delivering the provision as stated in the child's Education, Health and Care Plan (EHCP) to meet their needs, delays in issuing draft/final EHCPs, delays in taking cases to County Resourcing Panel, delays in completing a Needs Assessment or re-Assessment, inaccuracies in EHCPs, lack of contact from Casework Officer and no educational provider named in the EHCP.
- 2.13 The Local Authority has embarked on a SEND Transformation Programme which includes consideration of complaints relating to EHCPs and the Annual Review process and how to effectively capture the parent and pupil voice in the Improvement Plan. As part of this review, the Local Authority will also be examining cohorts of pupils who have remained on a school roll whilst on tuition packages and will review the application process for 14 -16 provision and the 'Cease to Maintain' protocol. In addition, a bespoke IT/Data system for SEND Service is due to be implemented in September 2022. This will provide significant efficiencies and will further improve monitoring and tracking by the Service, as well as increasing their accountability, and the Statutory Assessment Team plan to introduce a new Personal Budget Casework Officer post, who will take on a specific caseload of Personal Budget pupils.
- 2.14 There has also been learning taken in the way we manage children's complaints, as a result we have made a number of Service improvements;
- Government Guidance *Getting the Best from Complaints (2006)* outlines a complainant's right to approach the LGSCO at any time and Local Authorities are directed to explain this in their publicity. However, the guidance goes on to say that the Ombudsman would ordinarily expect the Local Authority to consider the complaint initially and may refer the complaint back to the relevant Complaints Manager if this has not been done (para 3.2.4), therefore our literature has been updated to reflect this.

- Following the conclusion of a recent Corporate complaint into SEND services, the CCFT were criticised by the LGSCO for suspending elements of a complaint due to an ongoing 'concurrent procedure' namely mediation, prior to appeal at tribunal which denied the complainant the chance to resolve these issues sooner. As a result of this feedback, we now no longer suspend such concerns.
- We now summarise the concerns expressed in complaints in our acknowledgement letters, inviting complainants to clarify if we are focusing the investigation on the right issues. This move has been implemented to reduce the number of re-opened complaints.
- We now commence all Stage 2 investigation timescales on the day the escalation request is first received, rather than when we have agreed the Schedule of Complaint with the complainant, to avoid drift and delay.
- Finally, we received feedback to suggest our team name and job titles were misleading to the public, so we have now changed our name from the Children's Customer Care Team to the Children's Complaints and Feedback Team. Accordingly, we have changed our contact details and job titles too, all of which are reflected in our updated literature.

Themes, Learning and Actions

- 2.15 The issues and themes raised in complaints are inevitably similar at all three stages of both the Corporate and Statutory Complaints Process. Whilst there may be some common emergent themes, the majority are not indicative of systemic practice issues.
- 2.16 The largest areas of concern relate to Assessments, Reports and Plans (i.e. accuracy and/or outcome) constituting 38% of all complaints and enquiries received throughout the year with Communication (i.e. lack of updates, reply following request) following in second place at 26%.
- 2.17 Here are some additional improvements to service delivery as a result of lessons learned;
- A flowchart has been devised to illustrate the agreed process when conducting a carer's means tested allowance re-assessment for Panel.
 - A Practice Guidance Note on Adolescent to Parent Violence and Abuse (APVA) has been circulated to all staff and the Children's Safeguarding Board.
 - A parent consent form has been created to ensure full transparency for parents receiving Post Adoption Support (PAS) from therapists who will now be expected to share information over intervention provided.
 - PAS has reviewed all their literature to ensure it includes the role of PAS, how to apply to the Adoption Support Fund (ASF) and for what it can be used.
 - PAS has revised all information including links to ASF website, so parents have access to up-to-date information and guidance, as well as contact numbers.

- PAS has completed a review on the retention of their records, providing full access for all staff in the Adoption and Special Guardianship Support Team to the historical CHARMS case recording system.

3. Alignment with corporate priorities

3.1 Environment and Sustainability

There are no significant implications for this priority

3.2 Health and Care

There are no significant implications for this priority

3.3 Places and Communities

There are no significant implications for this priority

3.4 Children and Young People

There are no significant implications for this priority.

3.5 Transport

There are no significant implications for this priority

4. Source documents guidance

Children's Complaints and Feedback Team Annual Report, April 2021 – March 2022

5.0 Location

<https://www.cambridgeshire.gov.uk/council/contact-us/council-complaints-procedures>