

**Everyone Working Together for
all Children, Young People &
Families to be Happy, Healthy,
Safe and the Best they can be**

**Annual Complaints Report
2019 - 2020**

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Introduction

Lincolnshire County Council is an authority that welcomes all feedback which may serve to increase understanding of the experiences of customers who receive services. With this in mind, the authority is keen to make use of complaints as a means of improving services for children and their families. It is anticipated that the speedy resolution of complaints will maximise the prospect of a good outcome.

This report is written in compliance with the statutory complaints guidance issued by the Department of Education – Getting The Best From Complaints. The report deals with complaints received by children, Young People and their families between the period of 1st April 2018 and 31st March 2019. This report is provided under the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. This report fulfils the Council's statutory duty to produce a report.

This report seeks to outline the themes which arise from complaints received and identify any learning which may be required in order to improve service provision.

1. Complaints definition

A complaint is considered to be an expression of dissatisfaction about a specific incident or a given situation. All complaints received by Lincolnshire County Council are dealt with under the following procedures;

- Statutory complaints procedures
- The schools complaints procedures
- The council's corporate complaints procedure.

This report focuses on complaints that relate specifically to Children's Social Care (including adoption and fostering). School complaints and corporate complaints are dealt with separately and information about them is not included within the scope of this report.

2. Complaints legislation

The regulations require that every local authority appoint a Complaints Manager to ensure provision of a robust social care complaints and representation procedure to eligible service users. The framework for handling Children's Social Care Complaints within England is laid out within the Regulations.

3. Children's Social Care Complaints Procedures

Complaints Management:

Lincolnshire County Council has a dedicated officer who is based within the Customer Feedback Team. Complaints can be made at any point in the local authority with all complaints being forwarded to the Feedback email account. The mail box is managed by the Customer Feedback Team who will view all complaints. Where complaints may be ambiguous, the complainant will be contacted in order to gain greater clarification. When a complaint is received directly from a child or young person, discussions are held with the Social Worker allocated to the child in order to ascertain whether additional support might be required by the child in order for them to pursue their complaint.

The Complaints Officer's role is to ensure that all complaints which are received are responded to in line with the Statutory Complaints Procedure and to this end they will chase responses to ensure that these are sent out within specified timescales. In addition the Complaints Officer will ensure that information in respect of complaints is recorded in order that themes and issues can be identified.

Complaints Procedure

There are various stages to the complaints process which are outlined below. It should be noted that whilst there are clear timeframes for complaints to be addressed at each stage of the complaints process, there will, on some rare occasions, be a need to extend this timeframe. This may include the complainant child requiring an advocate. If additional time is required the complainant will be notified of this at the earliest opportunity.

Stage one – Local Resolution

Complaints received are forwarded to the appropriate manager to address the concerns. An acknowledgement is sent to the complainant within one working day and in most cases a full response will be provided within ten working days. In some circumstances i.e. where the complaint is particularly complex a further ten days is permitted to address the complaint. When this is the case the complainant will be notified.

Stage two – Independent Investigation

When an individual is dissatisfied with the outcome of the stage one complaint they are able to request an independent investigation. The timeframe for this stage of the complaints process is 25 working days with an extension to 65 working days.

Stage three – Review Panel

If the complainant remains dissatisfied with the outcome of a stage two investigation they may request an independent panel to review how the complaint was handled. The panel must meet within 30 working days of the request.

It should be noted that whilst the internal process concludes at stage three, if the complainant remains dissatisfied with the outcome they are able to approach the Local Government Ombudsman. This report does not extend to any issues addressed at this level.

4. Advocacy and Engagement

Lincolnshire County Council commission TotalVoice Lincolnshire to provide independent advocacy for adults and children and young people who might wish to make a complaint. The children's element of this contract is sub contracted to Barnardo's. All children and young people who wish to take advantage of this service are able to do so, in addition any child or young person who become Looked After or who become subject to Child Protection procedures are provided with an advocate unless they specifically express that they do not want one. The Complaints Officer ensures that children and young people are aware of this service when they seek to make complaints.

This year so no cases where there was involvement from the advocacy service. Cases have been exceptionally low with the introduction of an Early Resolution step and this may account for this.

There is always concern that children and young people are unaware or not confident enough to make a complaint which is one of the primary purposes for the Children's Statutory complaint process, however children and young people who are in the system have Social Workers and so if they complain the issue should be resolved locally if the Social Worker is in the position to assist them. All Social Workers are aware that children and young people are entitled to an advocate and any children within Child Protection or Looked After Children are provided an advocate automatically unless they opt out.

5. Looked After Children

As soon as a child starts to be looked after by the local authority they are provided with a "coming into care kit." This provides them with information as to how they can express any feelings of dissatisfaction they may have including making formal complaints. There are however a number of informal dispute resolution options which are available to children and young people who are in the care of the local authority. These include the following:-

Independent Reviewing Officers: The Independent Reviewing Officer has a duty to engage with children and young people to ascertain their views in respect of their care plans and also to advise them of their entitlements including their right to complain. Children are encouraged to attend their reviews in order that they are aware of their plan and are able to comment on this. Where children's wishes are contrary to the plan, the Independent Reviewing Officer is able to escalate matters on behalf of the child in order to resolve matters in a timely manner. Where

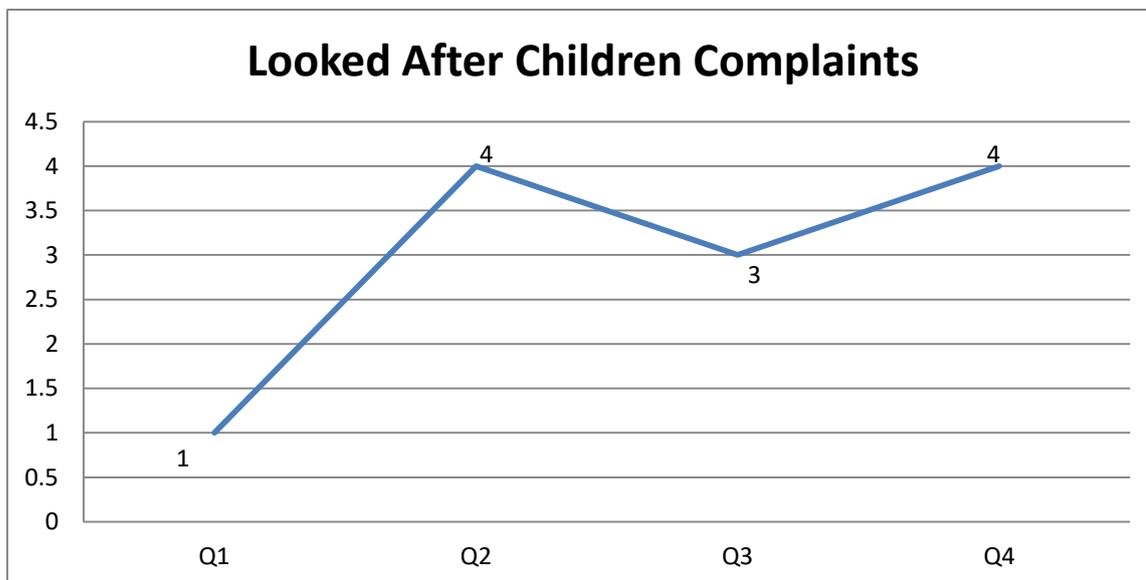
children and young people continue to be dissatisfied, the Independent Reviewing Officer is able to support young people in making formal complaints.

Regulation 44 Visits: The Regulation 44 Officer is an Independent Visitor who visits all residential homes within the authority on a monthly basis. An integral part of the role of the Independent Visitor is to talk to children, young people and their families about their experiences of the residential home. The Regulation 44 Visitor is able to engage in discussions with the homes manager in order to resolve any issues which the child may identify. Where this early attempt at resolution is unsuccessful, the Independent Visitor is able to support the young person in making a formal complaint.

Social Workers: Social Workers meet with children on a regular basis. A fundamental part of this visiting is ascertaining the wishes and feelings of children and young people. Where children are unhappy with the level of care which they are receiving, their social worker will in the first instance work with the child to see whether changes are able to be made which would comply with the child's wishes. Social Workers are able to direct children to the advocacy service if they wish to pursue a formal complaint.

6. Complaints received around Looked After Children

This year has seen no complaints made directly by children who are looked after. However 13 contacts were received from parents or carers of looked after children. Of these 13 contacts one was resolved informally. This was in relation to an incorrect address being used to send review documents to. The remaining 12 entered the formal complaints process.



Quarter 1

A single complaint was received from a mother who complained that her son's social worker was not sharing information with her. This complaint was not upheld and is the only complaint to have been escalated to the 2nd stage of the complaints process.

Quarter 2

Of the four complaints received in the 2nd quarter, 3 were from parents and one from a foster carer, and all for varying reasons:

- One was in relation to a mother who believed that the social worker was unreasonably close with her daughter. This complaint was not upheld.
- This complaint was from a father who expressed his dissatisfaction that there had been a delay in the discharging of the care order and that he had not been updated. This complaint was partially upheld; there were some delays however the father was kept apprised of these throughout the process.
- A complaint was received from a mother who was unhappy that the father of one of her children was given information about the other two children who are not his, by the social worker. This complaint was not upheld.
- The final complaint received in the 2nd quarter was from a foster carer who had advised that they were unable to continue with a placement and felt that there were delays in moving the child to another placement. This complaint was not upheld.

Quarter 3

3 complaints were received in the 3rd quarter and were all from parents of looked after children.

- The first was from a mother who advised that she had witnessed changes in her child since placement in care and did not believe that LCC were sufficiently safeguarding her child. This complaint was not upheld.
- The second complaint received was from the same parent who complained in the 1st quarter. This complaint was once again in relation to a lack of communication about changes with her son. This complaint was not upheld.
- A final complaint was received from a mother unhappy with the delays in arrange a visit with her child. This complaint was partially upheld due to staff sickness leading to no updated being provided.

Quarter 4

The 4th quarter saw 4 complaints in regards to looked after children and these were all from parents.

- A parent complained that she felt her son was being mistreated in school and that LCC was allowing this to continue without safeguarding her son. This complaint was not upheld.

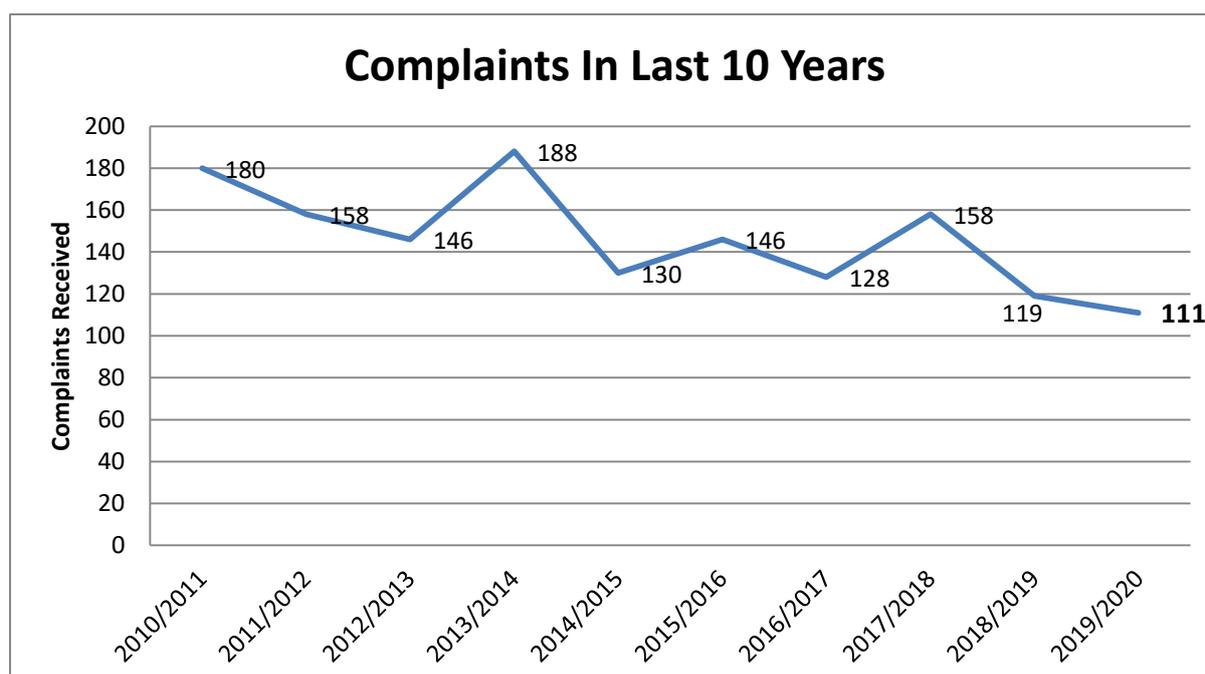
- A second complaint was received from a mother who complained that her daughter was in an accident, had a stay in hospital and she was not able to visit her. She also complained that the social worker was inappropriately close with her daughter. This complaint was partially upheld. There had been some comments made by the SW which were not appropriate.
- A father complained that LCC had failed to provide him with fortnightly updates as had been agreed in court. This complaint was upheld.
- The final complaint received in regards to a looked after child was from a mother who advised that no discussion had been held with her about a change of school for her child. This complaint was not upheld.

7. Statistical Analysis

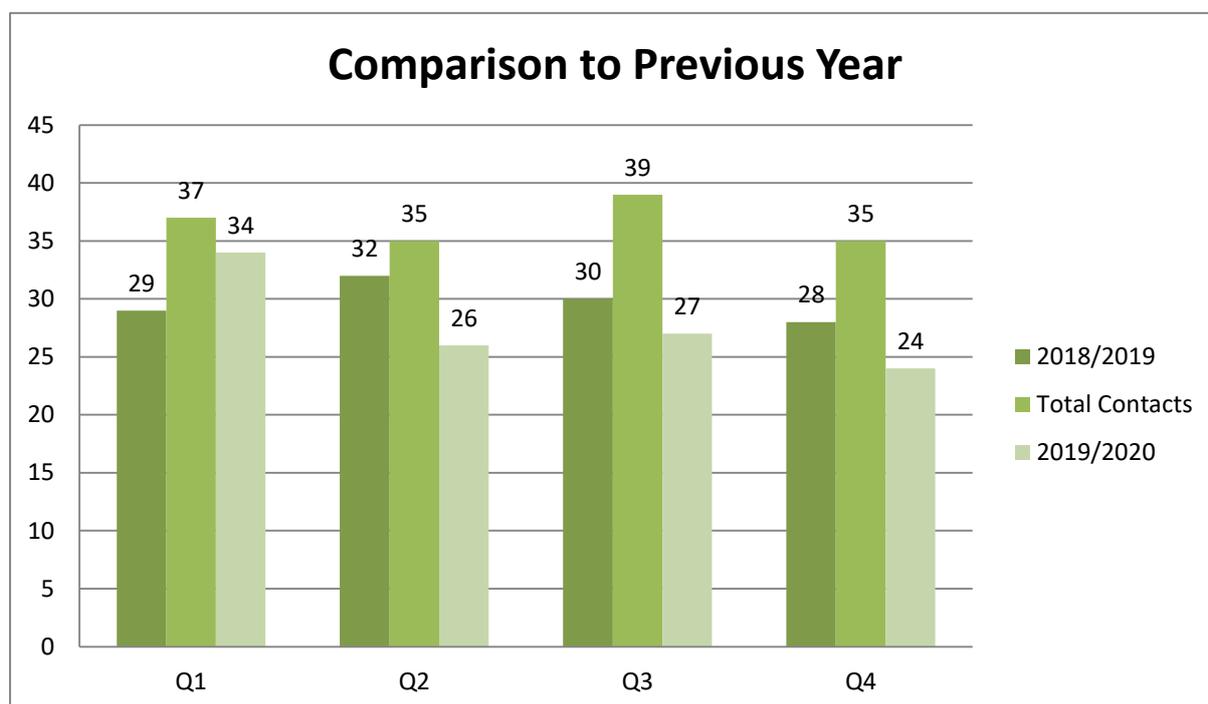
This section will provide an overview and analysis of the handling and management of all Children's social care complaints received in 2019/2020.

A total of 146 contacts were received in 2019/2020 from individuals wishing to complain about the service. Of these complaints 35 were resolved informally, outside of the complaints process, accounting for 24% of all contacts received.

With the resolution of 35 complaints outside of the complaints process, to the service users satisfaction, 2019/2020 saw an overall decrease of the complaints entering the formal process of 7%. Although not an extremely large number it should be considered that without the introduction of early resolution into the process all contacts would have entered the formal process resulting in the number of complaints reflecting the higher figures of previous years.



The following shows a breakdown of all contacts received, and the number of these entering the formal process per quarter, in comparison to the previous year.

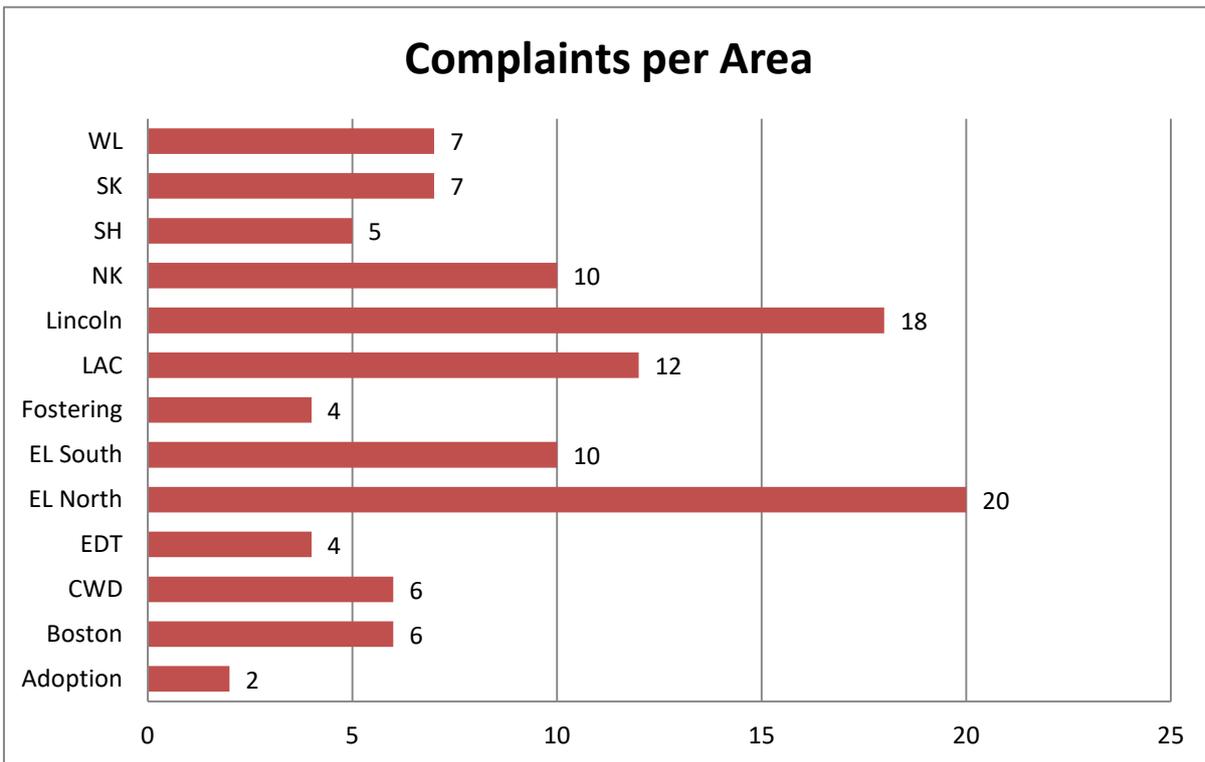


With the exception of the first quarter, each quarter saw a considerable decrease in comparison to the same quarter of the previous year in terms of contacts entering the formal process. It is of note that without the introduction of early resolution into the process the number of complaints would have been significantly higher in comparison to the previous year.

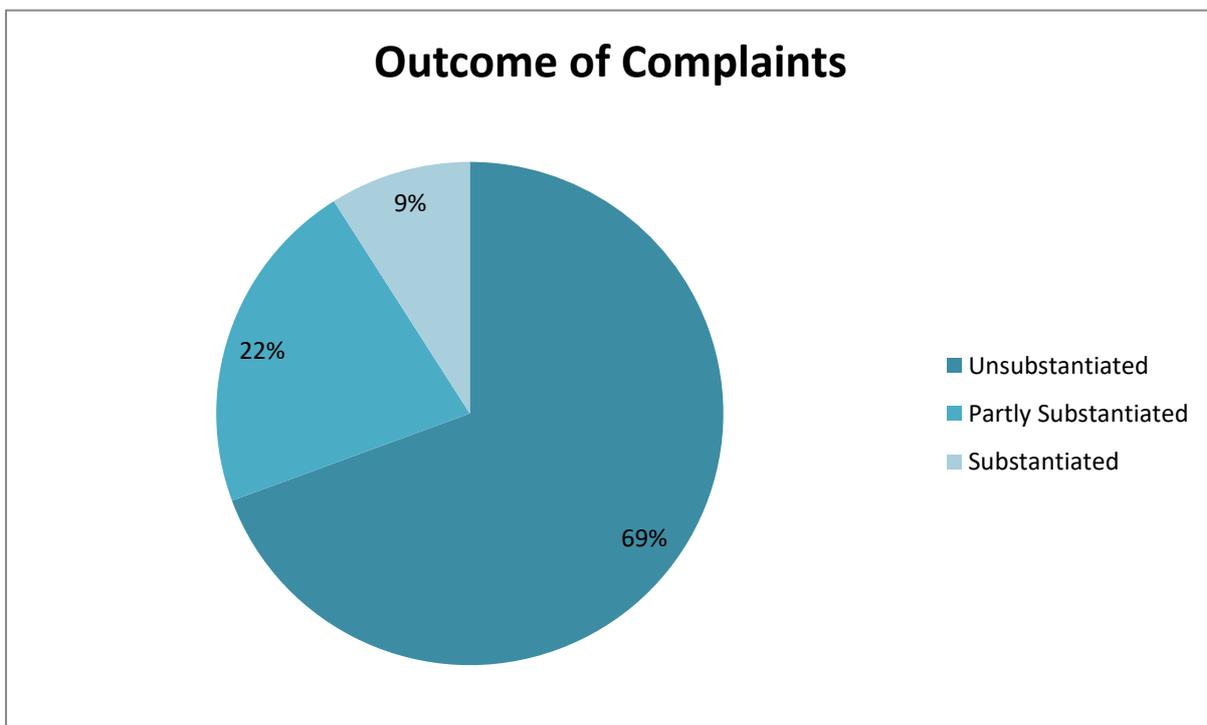
A breakdown of complaints by area has also been completed. It is of note that the two areas that have received the highest number of complaints are East Lindsey North and Lincoln. This was followed by Looked After Children, but considerably fewer complaints came in in relation to this area as detailed at the beginning of this report, in comparison to the first two areas mentioned.

East Lindsey South and North Kesteven followed after this. Details of the relevant complaints pertaining to these areas are to be discussed further with service area, with consideration being given to the area's work load in comparison to the number of complaints received.

It is encouraging to see a drop in complaints received for Fostering and Adoption as these were noted as being of concern in 2018/2019.

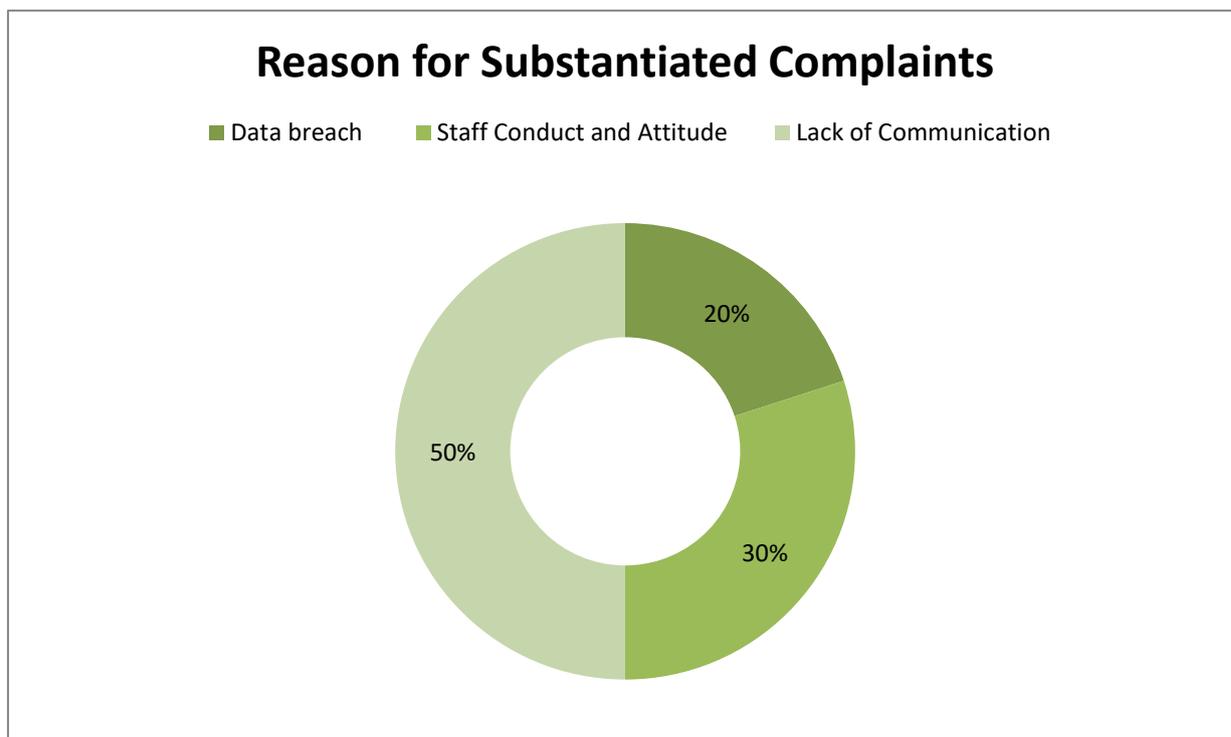


The following shows the breakdown of the outcomes of all complaints received.



It is positive to note that the vast majority of complaints, 69%, saw no fault found with the service that had been provided.

Analysis was completed on all complaints which were fully or partly substantiated in order to determine if there were any common areas or trends which needed to be considered and improved moving forward.

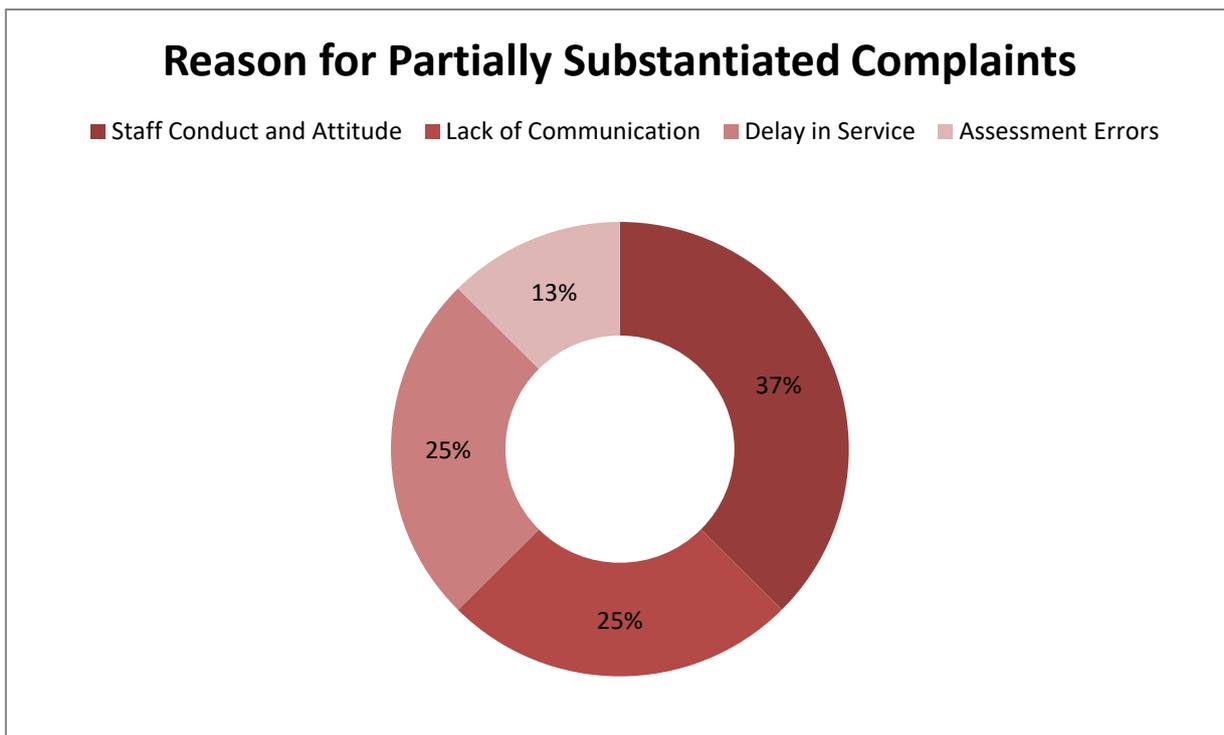


Of the 111 complaints received 10 were fully substantiated. Of these 10 complaints 5 were in relation to a lack of communication from involved staff. This has been an on-going theme and is already an area of improvement that the service is aware of. It should be considered that the number of these complaints, 5, is significantly fewer than the previous year.

3 complaints were in relation to the conduct and attitude of staff. This was in relation to staff in 3 different area teams, and has been dealt with accordingly. It is encouraging that there are no specific teams that see this as trend in the complaints that have been received for their area.

Of those 10 complaints substantiated 2 were in relation to data breaches. This was also noted in the previous year's report and has been addressed with all staff. It should be noted that both of these complaints were raised in the 1st quarter of 2019/2020 meaning that no complaints were received regarding data breaches in the 2nd, 3rd or 4th quarters of the year. This is a positive sign that information has been relayed to teams who remain vigilant around data handling.

The following shows a breakdown of the areas of Partly Substantiated complaints where fault was found;



In total 24 complaints were found to be Partly Substantiated. The above shows the aspects of those complaints where fault was found.

9 of these were in relation to the conduct and attitude of staff. Of these 9 complaints 2 were in relation to staff in the East Lindsey team, 2 were in relation to staff in the Lincoln team and the remaining 5 were for various teams. These have been fed back to the service area and are being managed accordingly.

6 complaints were in relation to a lack of communication. This was spread out over various teams and has already been noted to all teams.

A further 6 of the partly substantiated complaints were in relation to a delay in service. These were also spread over several teams. It is of note that the 4 of these went hand in hand with a lack of communication and had the individuals been contacted and updated about what was happening with their particular issues these complaints could potentially have been avoided.

The remaining 3 complaints were in relation to errors within assessment. 2 of these were as a result of historical assessments being used to fill in information despite considerable changes in those areas.

This has been fed back to the relevant workers.

Escalations

2019/2020 saw only one complaint escalated to the second stage of the statutory complaints process. This complaint was in relation to several factors which included;

- A lack of communication

- Staff conduct and attitude
- Assessment errors
- Delays in Service

At stage one of the complaints process this complaint was unsubstantiated. Following this, and several meetings with the complainant in order to determine the desired outcome and to resolve the complaint, this was escalated to the second stage.

At the second stage of the process the complaint was partly substantiated. The areas where fault was found were;

- A lack of communication
- Assessment Errors

The complainant expressed further dissatisfaction with the outcome of the stage two investigation and advised that they wished to escalate to a stage three panel. However when asked to provide the details of the areas they remained dissatisfied with no further communication was received.

No cases were considered at the third stage of the complaints process.

8. Local Government and Social Care Ombudsman

In total 9 referrals were made to the Local Government and Social Care Ombudsman in regards to Children's statutory complaints. No fault was found by the Ombudsman in relation to any of the 9 complaints they received.

9. Learning and Recommendations

As mentioned in other areas of this report the two main areas that remain as issues are a lack of communication and staff conduct and attitude. It should be noted that the number of complaints where the council has upheld or partially upheld a complaint in relation to these issues is relatively small. It is also of note that of all the complaints received only one has been escalated for further investigation due to the complainant remaining dissatisfied with the outcome of their complaint.

With that being said work is already underway in order to address issues in relation to the lack of communication which has been reported via the complaints process. Workers already have a requirement to meet a certain level of communication with families that they are working with, however further guidance is being put in place in order to ensure that this is consistently met. In terms of this area it is recommended that this guidance is completed and issued to staff as soon as is possible in order for there to be further clarified guidance of standards expected in relation to this issue.

Some individual learning has also been identified through the complaints received and this has been undertaken by the relevant team manager.

10. Summary

Overall the year has seen significant improvements in terms of achieving early resolution and thoroughly addressing complaints at the first stage, thereby avoiding escalation of complaints, this being reflected in the extremely low number of complaints escalated to the second stage.

With more consistent quarterly reporting themes are being relayed more often, allowing for these to be addressed throughout the year. The number of complaints received in 2019/2020 was lower than those received in the preceding 10 years. There remains a consideration around the lack of positive perception around the service area by the public, but much work has been completed by teams in the service to remain approachable and, where possible, address concerns and complaints informally, resolving these to the satisfaction of the complainant.

The area has consistently engaged well with the Customer Relations Team in order to work towards resolution and learning and it is encouraging to see the how this input has allowed for thorough responses to be provided at the first stage of the process avoiding a need for further investigations. It is hoped that this way of working will continue to positively impact service users and a further decrease in these numbers be reflected in the coming year with an increase of concerns being handled early.