

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

**Annual Complaints Report
2020 - 2021**

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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 2020 and 31st March 2021. 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 enters care 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 there were 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 Children in Care are provided an advocate automatically unless they opt out.

5. Children in Care

As soon as a child enters care, 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.

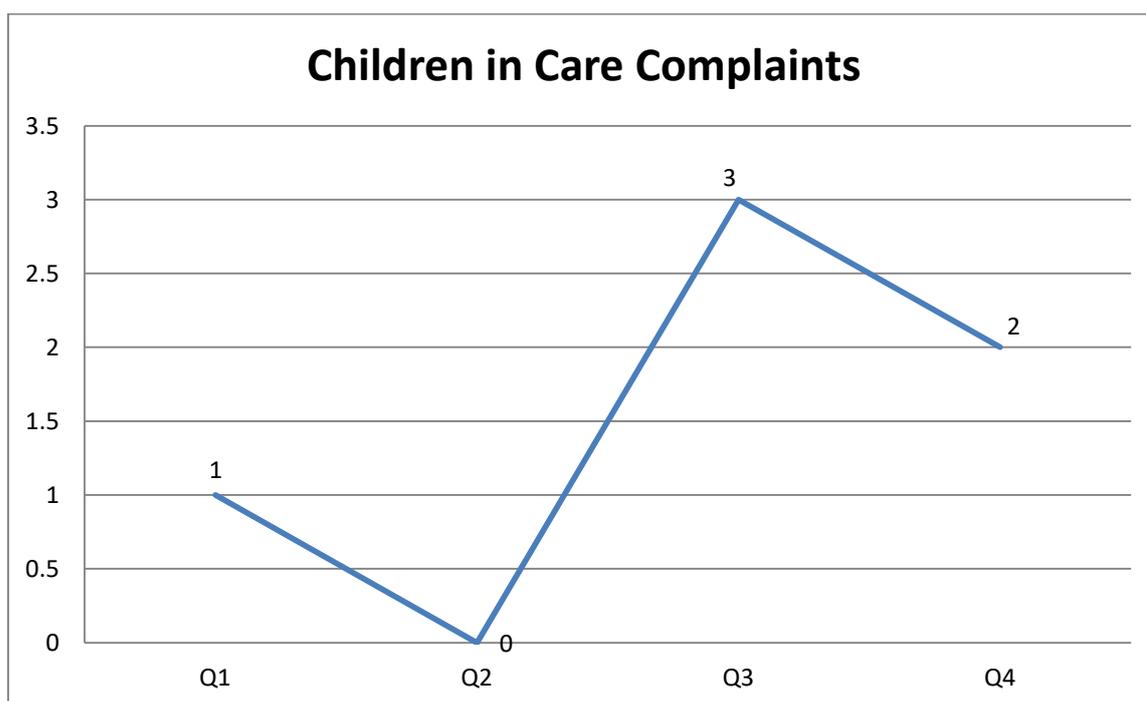
Regulation 44 Visits: The Regulation 44 Officer is an Independent Visitor who visits all residential homes within the authority on a monthly basis. An integral part of the role of the Independent Visitor is to talk to children, young people and their families about their

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 Children in Care

This year has seen no complaints made directly by children who are in care. However 13 contacts were received from parents or carers of children in care. 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 child's social worker was not sharing information with her and how the authority intended to keep the child safe during the pandemic. This complaint was not upheld and was not escalated to the next stage of the complaints process.

Quarter 2

No complaints in relation to Children in Care were received in this quarter. The national lockdown, as a result of the Coronavirus Pandemic, remained in place at this time.

Quarter 3

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

- Family complained that assessments were taking too long to be sent through. This complaint was not upheld as all relevant documents were sent through in a timely fashion and this was evidenced.
- Parent complained that appropriate safeguarding measures were not taken in the home that their child was resident in, and did not believe their child should remain there. This is directly linked to Covid-19 as the precautions in question were PPE. This complaint was not upheld as the PEE used was in line with central government guidance.
- A final complaint was received from a mother unhappy with the information that had been detailed about her in an assessment. This complaint was not upheld as it was evidenced where the information had been gathered from.

Quarter 4

The 4th quarter saw 2 complaints in regards to children in care and the details of these are as follows;

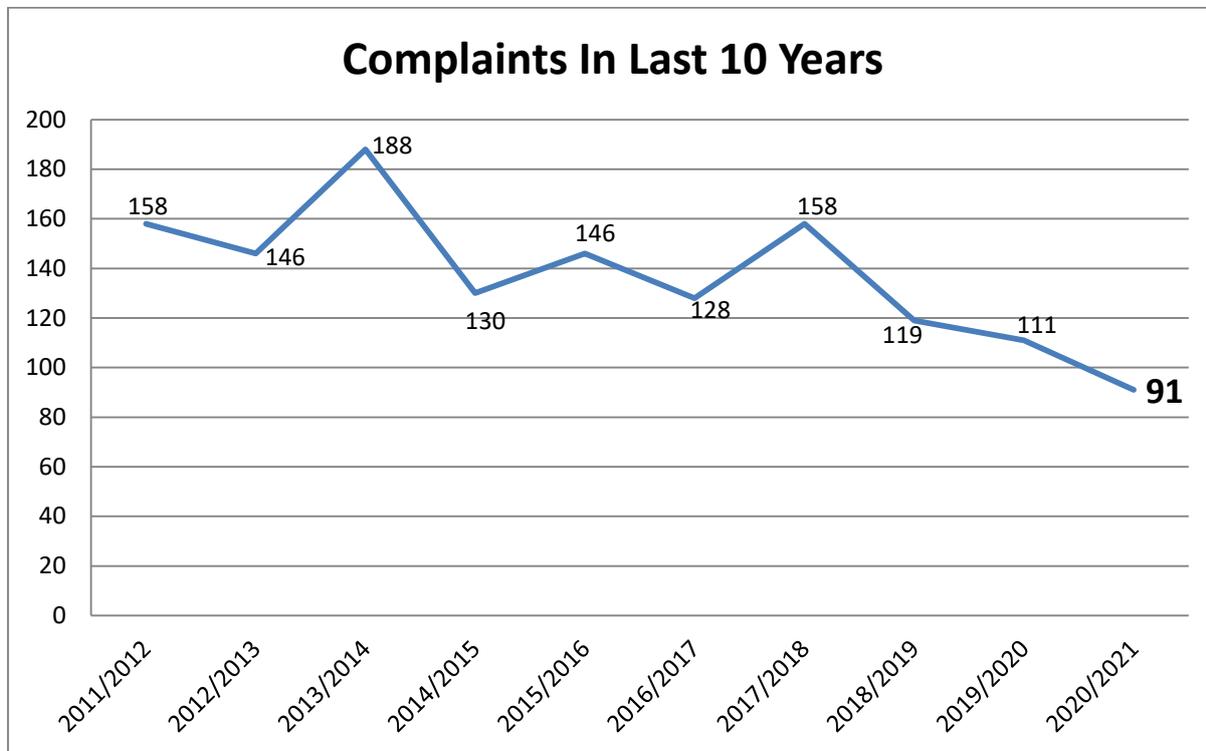
- A parent complained that she felt the information about her included within a report was misleading and she felt discriminated against. This complaint was not upheld as the statements that parent advised were made were not found in any report.
- A Parent complained that she was purposefully being excluded from updates about her son. Parent was unhappy that updates were provided to the SW and not to her and following this the SW was also not keeping parent up to date. This complaint was partially upheld. The parent had specifically stated in a previous correspondence that they wanted no more than a weekly update and SW thought they were acting in line with this. However parent had also requested specific individuals to assist with contact and this was not actioned.

7. Statistical Analysis

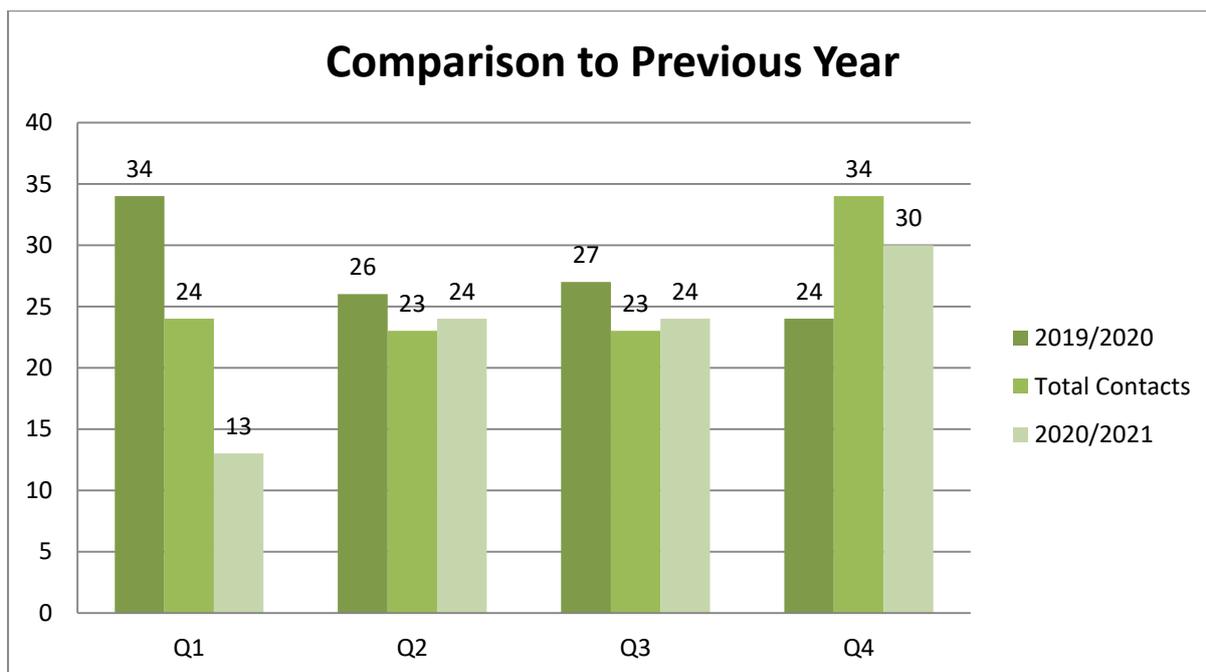
This section will provide an overview and analysis of the handling and management of all Children's social care complaints received in 2020/2021.

A total of 136 contacts were received in 2020/2021 from individuals wishing to complain about the service. Of these complaints 45 were resolved informally, outside of the complaints process, accounting for 33% of all contacts received.

With the resolution of 45 complaints outside of the complaints process, to the service users satisfaction, 2020/2021 saw an overall decrease of the complaints entering the formal process of 18%. Whilst some of this can be accounted for in the overall drop the council saw at the beginning of the year due to the global pandemic, service have continued to try and resolve concerns as early as possible despite the additional pressures seen over the course of the year.



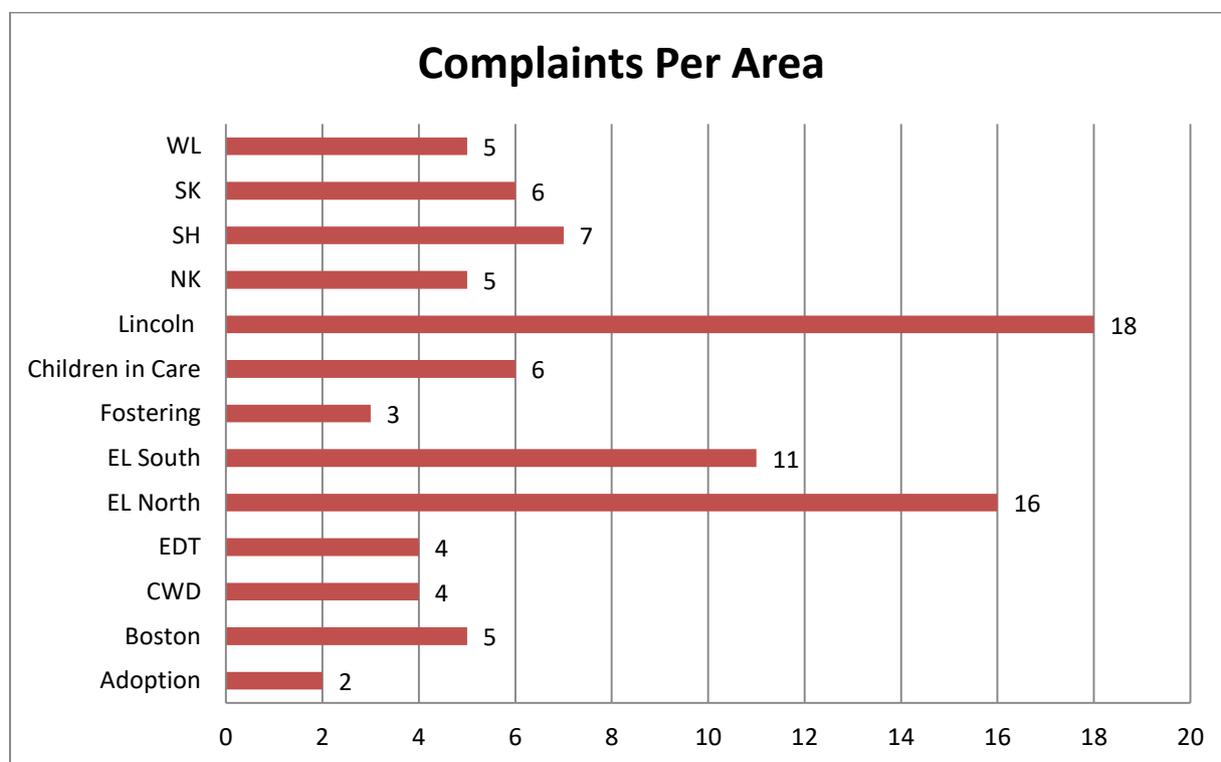
The following shows a breakdown of all contacts received, and the number of these entering the formal process per quarter, in comparison to the previous year.



The differences that we are able to see in both the first quarter and the second quarter are consistent with the themes seen across all service areas in this financial year. The first quarter saw a significant impact on communities given the global crisis at the time and restrictions implemented at the time. It was widely acknowledged that there would be an adjustment for all services in order to continue providing what they were and remaining in line with the strict rules implemented by central government.

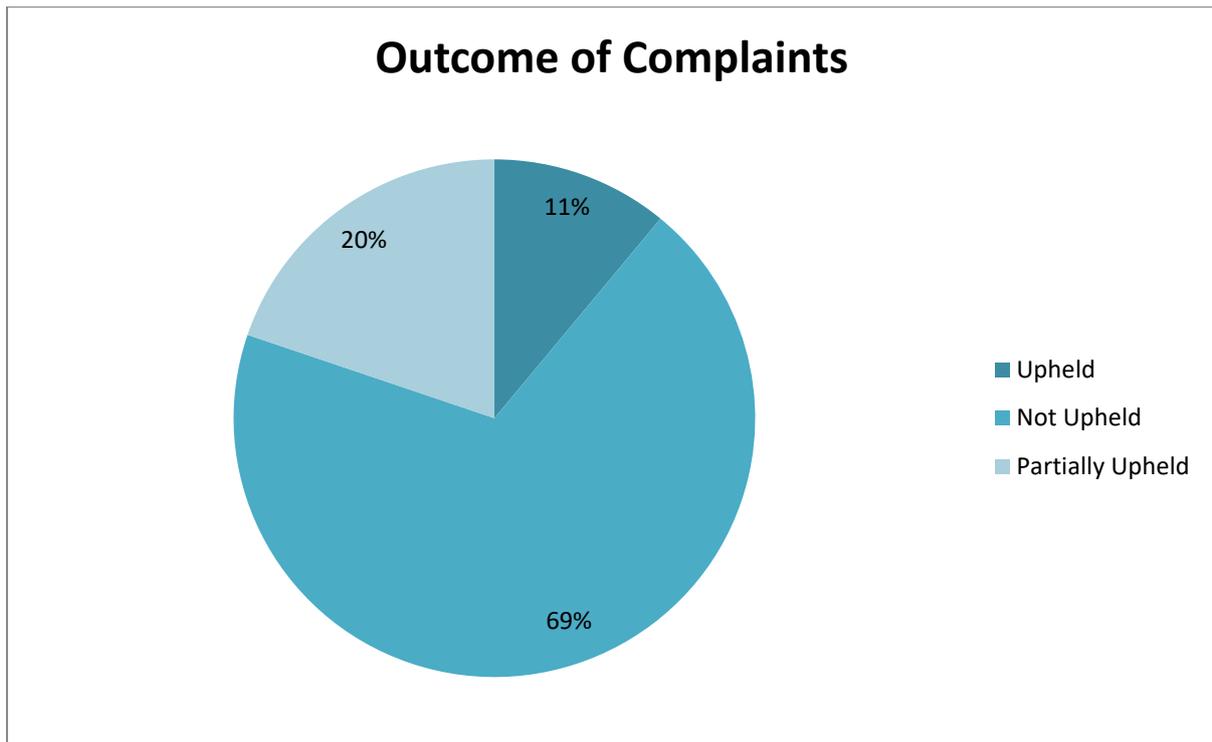
By the final quarter a "new normal" had emerged and this saw all services across the county see a rise in the number of complaints being received. Children's Services have remained in line with other services but a continued focus on resolving concerns and issues as quickly as possible, to the complainants' satisfaction has ensured that the overall figure for the year has not increased to the same levels seen in previous years, prior to the introduction of Early Resolution.

The following shows a breakdown of complaints received by the area they were raised with;



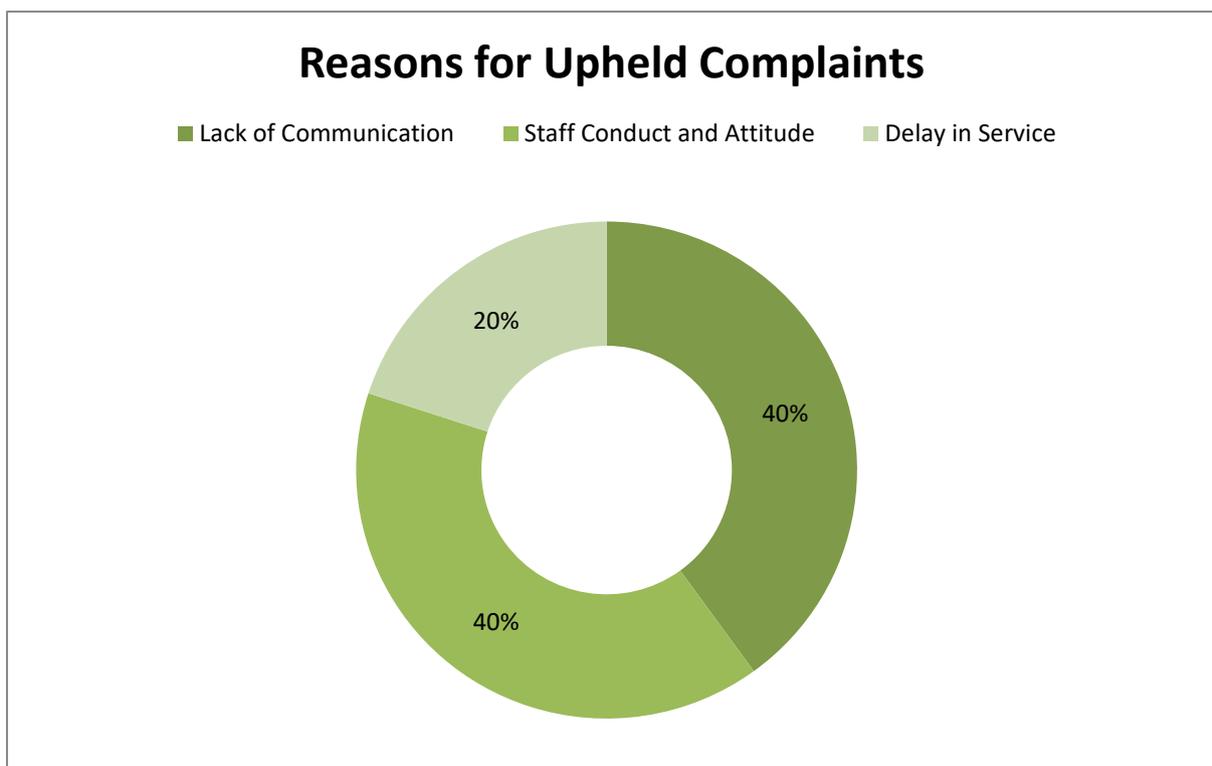
This break down is proportionally consistent with previous years. This year is particularly difficult in terms of analysis as it should be considered that there will be a large number of the complaints submitted to this authority that are as a result of the Covid 19 Pandemic. This can be evidenced also in the advice given by the Local Government and Social Care Ombudsman. The LGSCO have not investigated cases where the complaint was as a result of the guidance given by central government as they acknowledge that these are not decisions made by local authorities.

The proportional number of complaints that we see above are likely to be a reflection of the number of families being provided services in those areas. The following shows a 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 partially upheld in order to determine if there were any common areas or trends which needed to be considered and improved moving forward, however as noted previously, this was done with consideration of what has occurred this year.

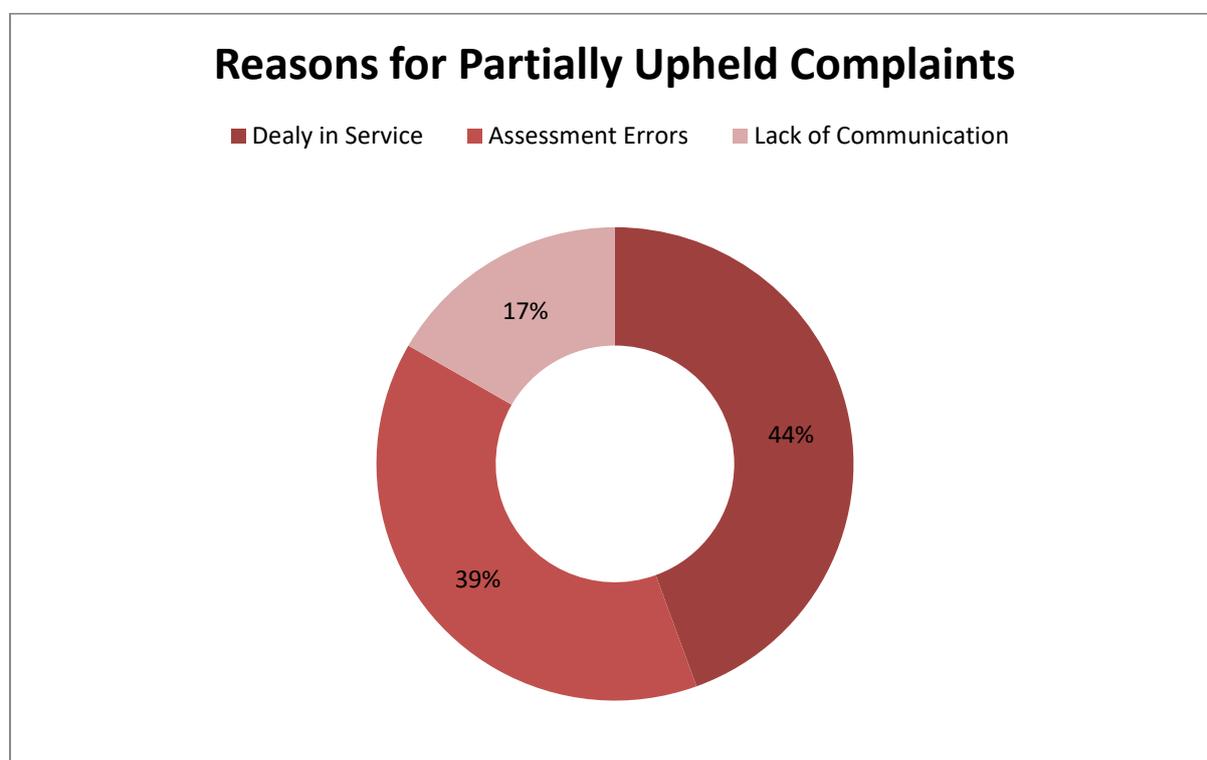


Of the 91 complaints received 10 were upheld. Of these 10 complaints 4 were in relation to a lack of communication from involved staff. This has been an on-going theme and is already an area of improvement that the service is aware of.

4 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 upheld 2 were in relation to delays in service. Given the impact on services and delays being faced as a result of Covid-19 it is encouraging that number being upheld remains low.

The following shows a breakdown of the areas of Partially Upheld complaints where fault was found;



In total 18 complaints were found to be Partially Upheld. The above shows the aspects of those complaints where fault was found.

8 were due to a delay in service. When amalgamated with the complaints where this aspect was fully upheld this accounts for a total of 10 complaints in which the authority agreed that there was fault with the service. Once again it should be considered that there will have been an impact from the global events of the year on this particular area.

7 of these complaints found fault with information included within assessments. In all 7 of these cases errors were rectified and the complainant was satisfied with the outcome of their complaint. A further case is noted below, the only case to have been escalated to 2nd stage of the complaints

process. This aspect was not upheld at the first stage however we are awaiting the outcome of the stage 2 investigation which may result in an increase to this number.

The remaining 3 complaints were in relation to a lack of communication.

Escalations

2020/2021 saw only one complaint escalated to the second stage of the statutory complaints process. The main aspects of this complaint were the following;

- Staff Conduct and Attitude
- Assessment errors

At stage one of the complaints process the complaint was not upheld. This case became particularly complex as one of the two complainants unfortunately passed shortly after a request for escalation was made to the authority.

The second complainant wished to pursue the complaint and at the writing of this report the investigation remains on-going.

8. Local Government and Social Care Ombudsman

In total 11 referrals were made to the Local Government and Social Care Ombudsman in regards to Children's statutory complaints. In two of these cases fault was found. 4 cases saw no fault in the way in which this authority had delivered its services. At the writing of this report 5 cases remain open to the LGSCO.

9. Learning and Recommendations

There is consistency in the areas in which fault is found in the way services have been delivered. The global situation makes the findings of this year difficult to use in making recommendations.

It is clear that learning has already been undertaken by the service given the on-going work in Early resolution of concerns raised, the low number of cases in which fault is found and the significantly lower number of cases where individuals remain dissatisfied with the outcome of their complaint and request an escalation.

Delays in service were an expected outcome of this year however given that fault was found with this in several cases this will continue to be monitored.

Work continues 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 and this is being monitored.

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

10. Summary

As mentioned in this report, analysis and consideration of improvements is difficult to fully identify from this years data, given the significant impact that Covid-19 has had on all services provided by the Local Authority and the direct restrictions placed by central government.

What can be noted is that Children's Services, despite the difficult circumstances and additional pressure of adjusting services, has remained focussed on achieving early resolution for individuals dissatisfied or concerned around services being received. This is reflected in the overall decreased in the number of complaints entering the formal process and the lack of complaints where an escalation to the next stage has been requested.

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