

Partners in Practice

Putting children first

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

**Annual Complaints Report
2021 - 2022**

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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 from children, Young People and their families between the period of 1st April 2021 and 31st March 2022. 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 Relations Team. Complaints can be made at any point in the local authority with all complaints being

forwarded to the Customer Relations email account. The mail box is managed by the Customer Relations 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 Voiceability 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 enters care or who becomes 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 saw 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 can 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 can 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 5 complaints were received from parents or carers of children in care. The following is a brief summary of those complaints received in relation to this area.

Quarter 1

3 cases in total were received in the first quarter;

- That assessment and communication with the family were repeatedly delayed. This complaint was not upheld on the basis that several attempts were made to contact the family with no response.
- Parent complained as they were unhappy with conversations that had taken place between their son and home staff, where staff had attempted to explain why he would no longer be resident. This complaint was not upheld as notice had been served to both parent and child and he was therefore already aware of the situation.
- Parents complained that decisions had been made about their child's placement without agreement from the parents. Parents stated that they have joint PR with the Authority and therefore should have been consulted. This complaint was not upheld as the home was closed as a result of an emergency situation and there was little the authority was able to do about this. This point was accounted for in the court order and parents were notified within 24 hours of the matter occurring.

Quarter 2

2 complaints were recorded in the second quarter;

- Parent complained that there had been delays in receiving communication from the involved SW to arrange contact. Additionally parent complained about information that was shared during court proceedings. This complaint was not upheld as it was evidenced that parent had agreed to contact SW on a monthly basis to discuss contact, as parent was unable to commit to a specific date/day each month, but had not done so. No investigation took place in to concerns around court proceedings.

- Parent was unhappy with the level of communication from Social Worker with unanswered calls and infrequent responses. This complaint was not upheld as records indicated that attempts were made to contact parent, it was explained that these were not as frequent as the parent would like but still an appropriate and expected level.

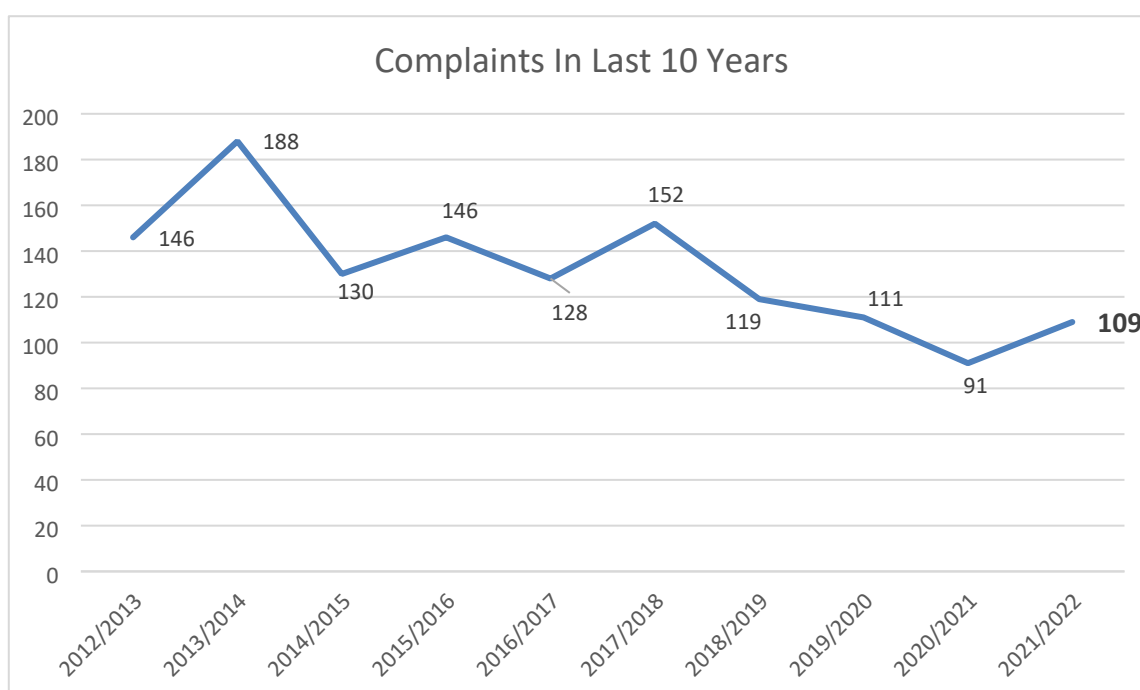
No Complaints were recorded for this area in the third and fourth quarters of the financial year.

7. Statistical Analysis

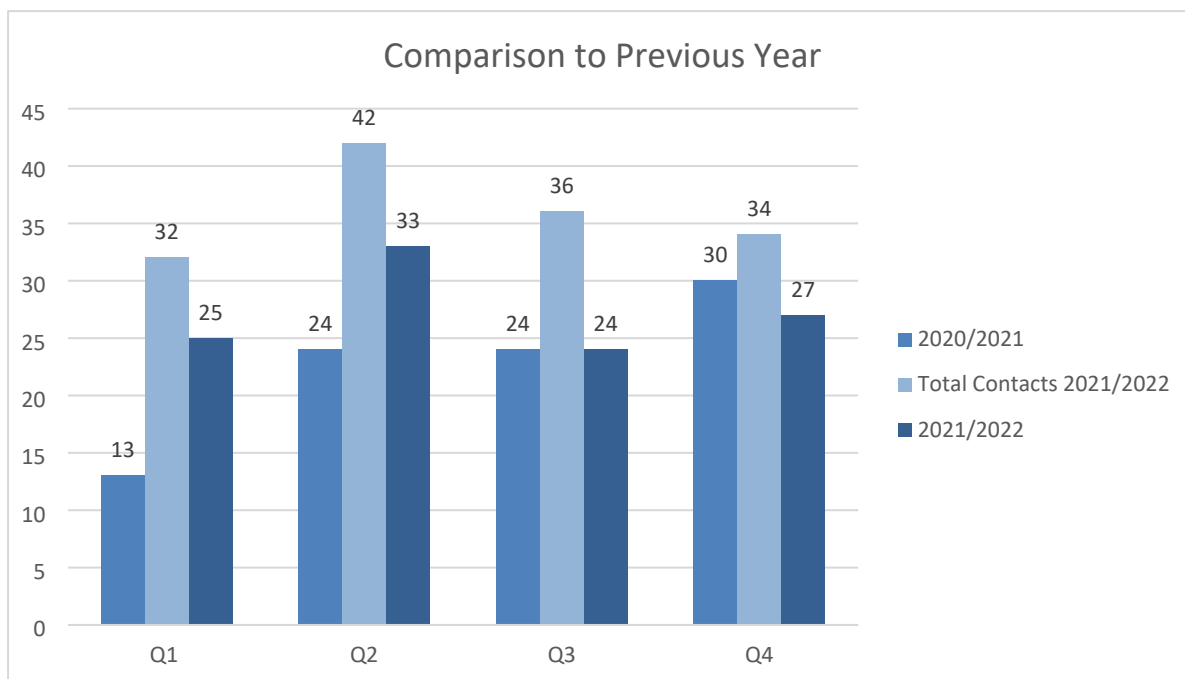
This section will provide an overview and analysis of the handling and management of all Children's social care complaints received in 2021/2022.

A total of 144 contacts were received in 2021/2022 from individuals wishing to complain about the service. To put this into context in the same period Social Care received 48712 contacts and 6952 referrals so only 2% of referrals led to a complaint being initiated. Of 144 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, 2021/2022 saw an overall increase of the complaints entering the formal process of 20%. The authority as a whole has seen a significant increase in the number of complaints recorded with the average increase across services being 25%. Children's services 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.

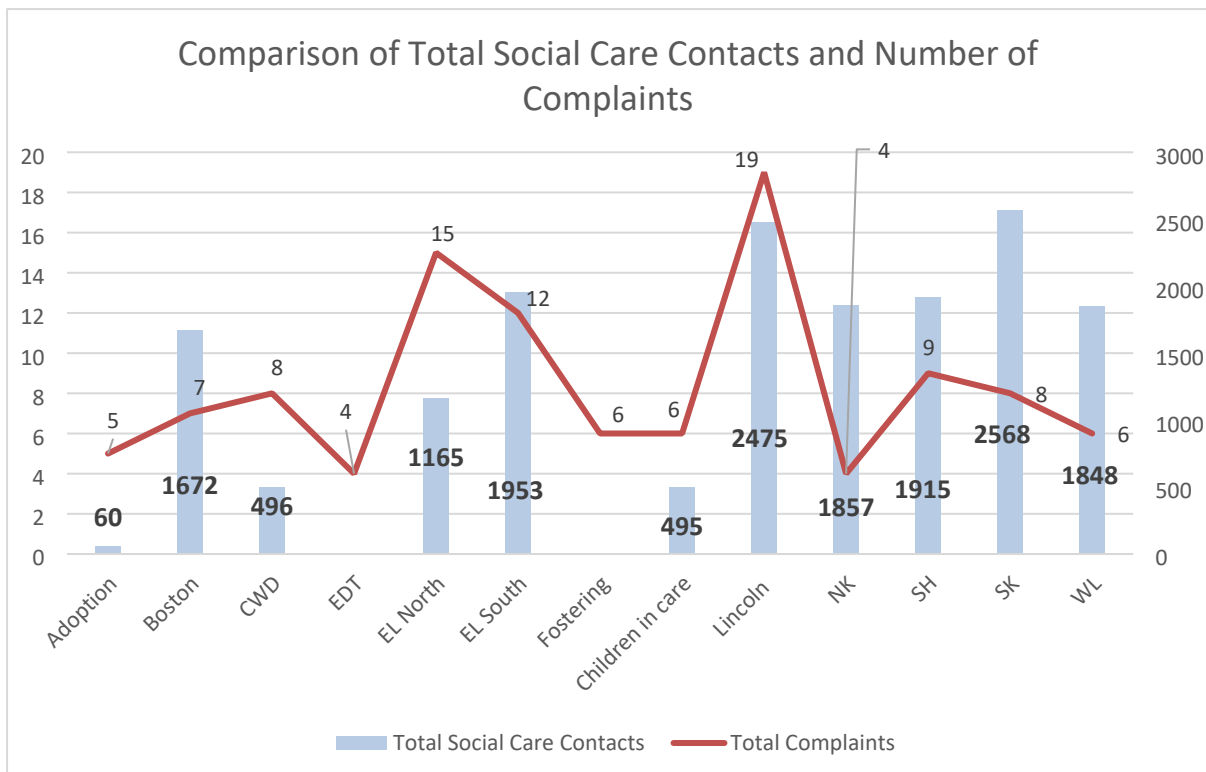


Whilst there has been an increase this is not considerable enough to result in concern. Staff should be commended for maintaining this despite the additional pressures faced during this period.

Whilst the 20/21 financial year saw a slight drop in the overall number of cases entering the formal complaints process, we can now see numbers returning to pre-pandemic levels. To have maintained this under the current pressures faced by services is extremely positive. As mentioned earlier in this report other areas within the authority have seen significant increases in overall contacts and cases, therefore consistency is commendable.

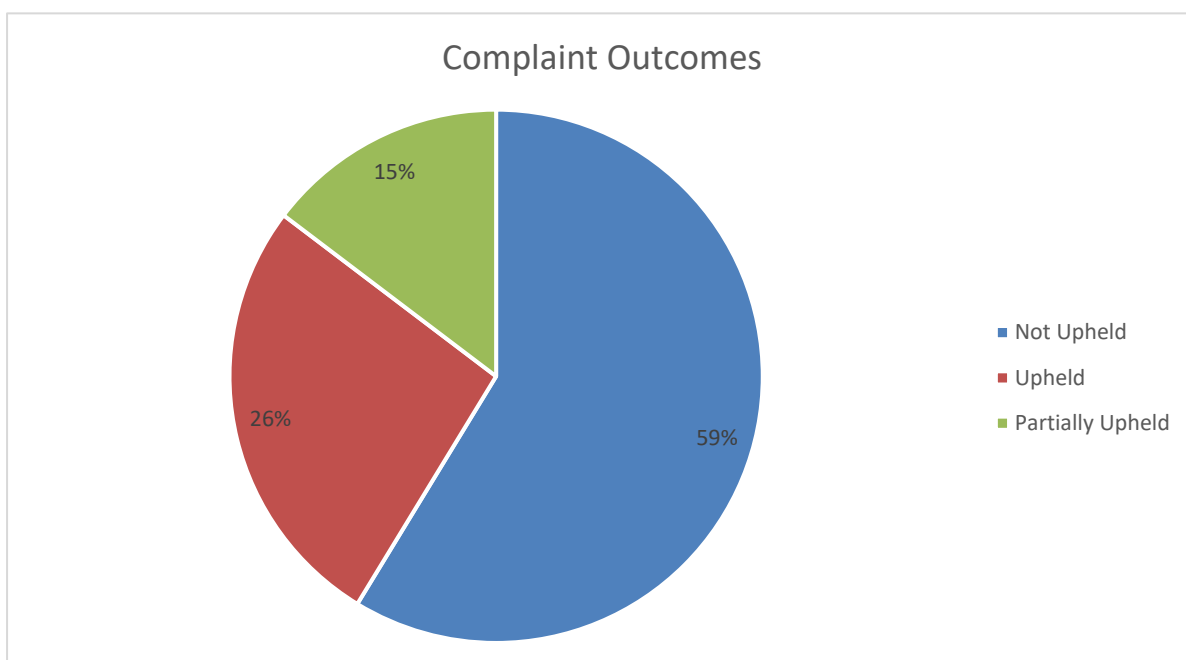
Keeping in mind countywide trends in complaints it is possible that an increase will be seen in the coming year. Additional benchmarking has been completed with other authorities in the region. Whilst we are unable to share the data of these authorities via this report it can be confirmed that the average increase in complaints seen in the year is 27%. This authority's figure of 20% is significantly lower than this and a direct result of on-going efforts in achieving informal resolution and taking a restorative approach.

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



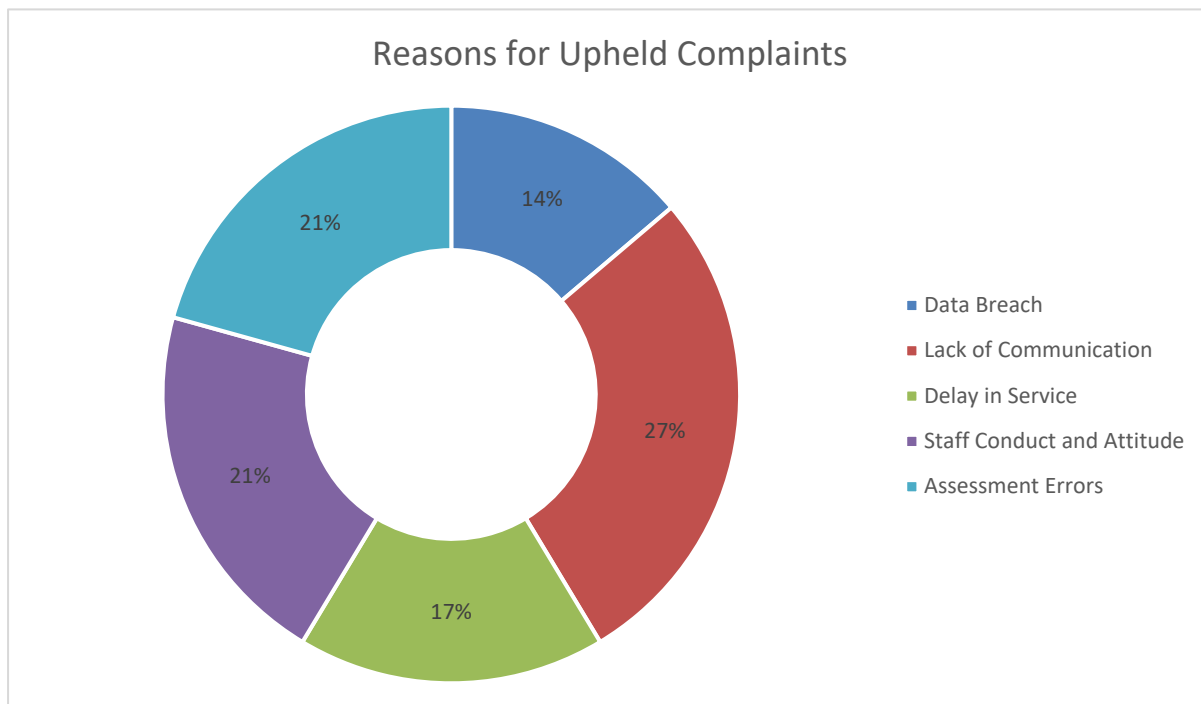
The total number of complaints accounts for 0.2% of all Social Care Contacts. In the above, areas with no total contacts is as a result of this information being recorded separately. This break down is proportionally consistent with previous years. Given its comparability to both the previous year and pre-pandemic year staff should be commended on their consistency in tackling concerns raised in the most difficult of circumstance.

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 majority of complaints, 59%, identified no fault with the service 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.

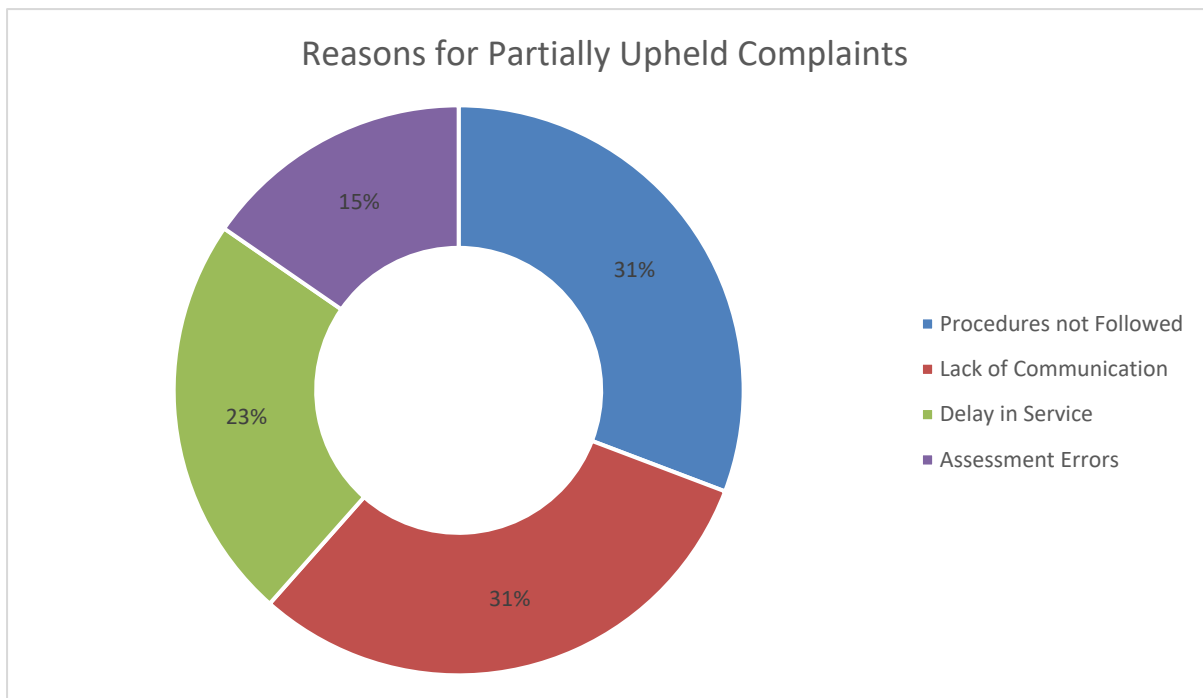


Of the 109 complaints received, 29 were upheld. Of these 29 complaints 4 were in relation to data breaches. These were all dealt with appropriately and referred to the Data Protection Officer, with no on-going concerns from the Information Commissioners Office. 8 cases were as a result of a lack of communication from involved staff. This has been an on-going theme and is already an area of improvement that the service is aware of.

5 complaints related to the delay in services being delivered. Considering the changes seen throughout the year this relatively low number should be considered a positive reflection of the work done in meeting need. A total of 6 cases were in relation to staff conduct and attitude. This was in relation to staff in 4 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.

The remaining 6 cases were as a result of errors in assessment. The relevant records were amended and none of these cases resulted in the issues being progressed to the next stage of the complaints process. Social care undertook 6484 assessments in the year, so to only have 6 that required amending highlights the quality of the work being produced.

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



In total 16 complaints were found to be Partially Upheld. The above shows the aspects of those complaints where fault was found.

4 cases were as result of a lack of communication. As stated previously this is an area which is already being addressed appropriately. Delays in service accounted for 3 of the partially upheld cases with 2 cases arising as a result of assessment errors.

The above areas were also present in cases fully upheld. Cases recorded as partially upheld in these areas were due to some of the concerns raised not being accurate. An example of this being a case where an individual indicated 3 instances of a lack of communication. Upon investigation it was identified that only one of those instances saw communication not returned; the remaining instances raised were actioned appropriately.

4 of these complaints were as a result of procedures not followed. To clarify these cases were not as a result of procedures and processes being ignored but instances where a step within a procedure was missed or delayed. These were rectified as a result of the complaint with support and guidance being provided to involved staff. No cases in relation to this were escalated to the next stage of the complaints process.

Escalations

2021/2022 saw only one complaint escalated to the second stage of the statutory complaints process. The main aspects of this complaint were the following;

- Disagree with assessment outcome
- Lack of Service

At stage one of the complaints process the complaint was not upheld. This case was referred to the Local Government and Social Care Ombudsman who asked the authority to progress this case within the complaints process.

At the writing of this report this case remains open at stage 2 independent investigation.

8. Local Government and Social Care Ombudsman

In total 14 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. 10 cases saw no fault in the way in which this authority had delivered its services. At the writing of this report 4 cases remain open to the LGSCO.

9. Learning and Recommendations

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 the year has seen the number of complaints in relation to this, where the authority has identified fault, decrease in comparison to the previous year.

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

What can be surmised from the data presented in this report is the on-going investment and work in resolving issues informally wherever this is possible. Children's Services, despite the difficult circumstances and additional pressure of readjusting services, has remained focussed on achieving early resolution for individuals dissatisfied or concerned around what is being delivered. This is reflected in the maintaining of the number of complaints entering the formal process, with no significant increase, despite challenges.

In addition to the above, the Children's Services focus on providing robust responses, addressing all concerns, at the first stage of the formal complaints process, has seen only one case enter the statutory stage 2 process. The area should continue to focus on the informal resolution of cases in early resolution in order to maintain the positive figures achieved.